

STATE PAPERS



COLONIAL

1738

















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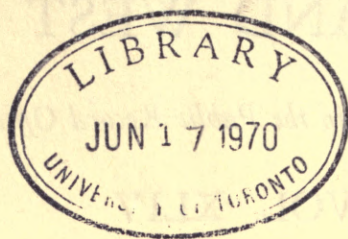
1738

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## PREFACE

THE entire volume, introduction, text and index is the work of Professor K. G. Davies, M.A., who holds the Chair of History at Bristol University.

PUBLIC RECORD OFFICE,  
*May, 1969*



## INTRODUCTION

This volume contains 570 principal abstracts and a further 226 documents which are enclosures to correspondence. More than one-third – 211 – of the principal abstracts are from the archives of the Trustees for Georgia, though only 15 of the enclosures come from that source. The explanation is as follows: Georgia at this time had no governor but instead a number of officers whose relationship to one other was not always perfectly clear – 1st, 2nd and 3rd bailiffs at Savannah, recorder, surveyor, secretary for the Trust's affairs in Georgia, etc. In royal provinces most official matters were communicated to the Secretary of State and the Lords Commissioners of Trade and Plantations, either by the governor in his own words, or through him in the form of enclosures to his letters. In the case of Georgia, however, all the principal officials in the colony corresponded directly with the Trustees in London. Papers from Georgia which, if from another province, would have been sent to Britain as enclosures (or not at all) therefore appear in this Calendar as principal abstracts. Another peculiarity of the infant-colony of Georgia was that many matters, which in an established province were largely or wholly private business, remained under the surveillance of the Trustees: such were the cultivation of land, importation of servants, education, religion, food-supply etc. This is why the Georgia records occupy a predominant position in the Calendar at this date. In due course the predominance will disappear.

Adding together principal abstracts and enclosures there are 796 documents in the present volume (which covers the year 1738), compared to 1009 in Vol. XLIII for 1737, a reduction of the order of one-fifth. For this reduction, there is no obvious explanation. In view of growing fears of a war with Spain in the West Indies and America, more rather than fewer documents might have been expected to originate in the colonies, particularly in danger-spots such as Georgia, Jamaica and the Leewards. Yet the number of principal abstracts from the Georgia archives falls from 277 in 1737 to 211 in 1738, while Governor Mathew's letters from the Leeward Islands decline from 19 to 17. Letters from the governor of Jamaica, it is true, rise from 12 to 23 but this more reflects the arrival of Governor Edward Trelawny in the island than any increase in business regarding Spain.

Nor does there seem to be an administrative explanation for the reduction in the number of documents surviving from the year 1738. At first sight, one might suppose that the departure of Alured Popple from the secretaryship of the Commissioners of Trade and Plantations, and his replacement by Thomas Hill, provided a clue: Popple in the first nine months of 1737 signed 51 letters, Hill only 20 in the whole of 1738. But this is balanced by a corresponding rise in the number of letters signed by the Commissioners corporately: from 53 in 1737 to 82 in 1738. All that seems to have happened here is that Hill signed a smaller proportion, and the Commissioners a larger proportion, of the letters leaving their office. The out-letters of the Secretary of State fell slightly, from 18 in 1737 to 13 in 1738; on the other hand, his in-letters rose from 79 to 82. There were 33 Orders of the Privy Council on colonial matters in Vol. XLIII; in the present volume, 55. We must therefore conclude that the

reduction in the total number of documents in 1738, if it signifies anything, does not denote any marked relaxation on the part of central colonial institutions.

Although most volumes in this series contain some material on every British province, the greater part of the contents is provided by a fairly small number of colonies. In the present volume, Georgia, Jamaica, the Leeward Islands, Massachusetts, New York and South Carolina are the principal suppliers of papers. A second group – the Bahamas, Barbados, Bermuda, Newfoundland, New Hampshire, New Jersey, North Carolina, Nova Scotia and Virginia – was in fairly regular correspondence with the British government but the intervals between letters might stretch to several months: Governor Johnston of North Carolina, for example, wrote only two letters in 1738. In any given volume, one of these colonies may for exceptional reasons furnish an unusual number of papers, for example Bermuda in 1738, following the arrival of Governor Popple. The number of letters in ensuing years may in such cases be expected to fall, either because the governor has nothing fresh to say or for some other reason. There are 13 letters signed by Governor Gooch in Vol. XLI for 1734–35; only 4 in the present volume. Finally, there were four Colonies, Connecticut, Maryland, Pennsylvania and Rhode Island, with which the Secretary of State and the Commissioners of Trade and Plantations seldom communicated.

The methods used in compiling this volume of the Calendar are those described in the Introduction (pp. vi–vii) to Vol. XLIII for 1737. The index, while not departing from the broad principles of official practice, incorporates certain features peculiar to the institutions and geography of colonial government. The user is advised to consult the foreword on pp. 295–6.

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In the year 1738 Parliament devoted far more time to colonial business than in 1736 or 1737. Extended enquiry was made into the manufacture of iron in the Plantations with a view to estimating possible effects on the British industry: the Commissioners of Customs were required to produce statistics of imports and exports of iron, and petitions were received by the House of Commons from several interested parties (L.F. Stock, *Proceedings and Debates of the British Parliaments respecting North America*, Carnegie Institute of Washington, Washington, D.C., 1937, Vol. IV, 430–439 etc.). The colonies were also concerned in Parliamentary proceedings on the British linen industry, retarded (so it was alleged) by the competition of foreign goods in colonial markets. Scottish linen-makers proposed that the drawback granted on foreign linens imported to Britain and re-exported to the Plantations should be discontinued. Counter-petitions were heard from mercantile interests, including the Merchant Adventurers; and no further action was taken in this session (Stock, IV, 446, etc.). Another matter in which Parliament interested itself was the negotiation (in 1733–34) for purchase by the Crown of the rights of the proprietors of the Bahamas. The outcome was an address to the King on 18 May 1738 to complete the purchase, and an offer from the Commons to make good the cost (Stock, IV, 575, 605–8). The colony of Georgia received a subsidy of £8,000 in 1738, £12,000 less than in the previous year (Stock, IV, 421). This reduction reflects the transfer of responsibility for the defence of the colony from the Trustees to the public, implied by the dispatch of Oglethorpe's regiment: the grant for 1738 was for civil purposes only.

All these matters must be considered as parts of the routine government of an extensive North American and Caribbean empire, promoted (in a somewhat haphazard fashion) from discussion and decision at the administrative level to debate by the legis-



lature. Other colonial problems were equally (or more) deserving of Parliamentary time but received none in 1738: currency, for example. The matter which dominated the proceedings of Parliament in this year, however, was far from an issue of routine; it was brought before the two Houses in ways the reverse of haphazard; and in the course of 1738 it assumed the appearance of an ever-increasing threat both to peace and to the stability of Sir Robert Walpole's Ministry. This was of course the problem of Anglo-Spanish relations and the tension created by the arrival in Britain of news of the operations of Spanish *guardacostas* in the Caribbean. The purpose of this Introduction is, as briefly as possible, to key proceedings in Parliament on this subject to the documents contained in the Calendar and to show to what uses some of these documents were put.

In the Introduction to Vol. XLIII (p. viii) notice was taken of the number of British ships seized or detained by the Spaniards in the second half of 1736 and in 1737. The total could not be perfectly established, owing to the anonymity of certain vessels reported as taken, but it is clear that Spanish operations in that period have the appearance of a new departure or at least of a revival of policies formerly pursued but laid aside or relaxed in the mid-1730's. In 1738 there is evidence of the continuation of an active Spanish policy towards British shipping in the Caribbean but the number of seizures reported is well below that in Vol. XLIII. The following is a list of all new captures or detentions noticed in the present volume:

<i>Date of Capture</i>	<i>No. of Document</i>	<i>Ship</i>
14 April	247i	<i>Success</i> of London, Ignatius Semmes, master
29 June	497i, 566i	<i>Sarah</i> of Bristol, Jason Vaughan, master
summer or early autumn	497, 497i, 566	<i>Union</i> of Jamaica, Henry Bennet, master
before 6 August	497i, 566i	<i>Loyal Betty</i> or <i>Isabel</i> , George Waine, master
before 6 August	497i, 566i	<i>James</i> of Jamaica

References in this volume to other ships taken by the Spaniards, the *Anne*, *Dispatch*, *George*, *Loyal Charles*, *Prince William*, *St. James* and *Woolball*, all concern captures effected in 1737 or earlier: the *Woolball*, for instance was taken in 1731.

Of the five new cases in 1738, two may be deemed of minor importance, though the circumstances of both are somewhat mysterious. The *Loyal Betty* and the *James* were vessels in the service of the South Sea Company: they were not boarded at sea but detained in the port of Havana. Both appear to have been released within a fairly short time. In a letter to Governor Trelawny of Jamaica, dated 29 November (N.S.), the governor of Havana stated that the *Loyal Betty* had been arrested in the belief that war had already been declared at Jamaica, an incidental indication of the nervous situation in the Caribbean: he promised that this ship would shortly be released (No. 566i). In the same letter, the detention of the *James* was attributed to 'the standing rules of the Spanish American ports', an explanation which Trelawny may not have found particularly illuminating. The *Loyal Betty* was probably released at once; the *James* was certainly released, and indeed carried the abovementioned letter from Havana to Jamaica. Both

cases came in due course to the attention of the House of Lords – on 26 February 1739 – with the production of a letter from Anthony Weltden, the South Sea Company's factor at Havana (Stock, IV, 680). Possibly they helped to swell the volume of complaint both in and out of Parliament, but they seem not to have been taken very seriously. There is, for example, no reference to them by name in the reported Parliamentary debates.

Thus the number of British ships seized and held for condemnation in the period covered by the present volume is reduced to three; and the circumstances in which one of these three was taken were such as strongly to indicate an intention to engage in illicit trade. This was the case of the *Union*. The date of her capture is uncertain: probably it was in the late summer or early autumn of 1738, in any event well before 6 November when the affair first appears in this volume (No. 497). She was taken four days out from Jamaica, and was according to Trelawny 'undoubtedly bound on an illicit trade'. Despite the facts that the ship had neither anchored nor broken bulk nor come within five leagues of the Spanish coast, evidence of intention seems to have satisfied the Spaniards. The *Union* was taken to Havana and there deemed lawful prize on the master's confession (No. 566i). That such a confession was forthcoming is likely enough: by 30 December Governor Trelawny had examined the vessel's supercargo who admitted that his orders had been to trade on the Spanish coast, but protested that he had not actually done so, and that at the moment of capture he was 'no nearer the Spanish coast than where the pilots of the country owned he might have been driven to' (No. 566). Trelawny's letter of 6 November (though not his letter of 30 December) was produced in the Lords on 26 February 1739, but the case of the *Union*, like the cases of the *Loyal Betty* and *James*, seems not to have been pressed in Parliament. Probably critics of the ministry took the view that it would be profitless to argue a weak case when there were other stronger ones.

As manifested in the documents in the present volume, the seizure in 1738 of two other ships, the *Success* and the *Sarah*, gave better grounds for protest, though it is to be noted that both vessels belonged to leading British ports – *Success* to London, *Sarah* to Bristol – from which strongly pressed complaints might be expected. Both cases received a good deal of public attention. The *Sarah* was discussed in Parliament, both because of the long imprisonment of her master and because her seizure raised some of the general principles at issue: what exactly constituted produce of the Spanish colonies, whether inclusion in a cargo of *any* product (such as sugar) produced in *any* part of Spanish America gave credible grounds for confiscation, whether Spanish silver coins (which in many British and French colonies were common currency) were contraband, etc. (Stock, IV, 724, speech of Earl of Chesterfield, 1 March 1739). The *Success* was also the subject of Parliamentary interest and achieved the distinction of special mention in the Convention of Pardo (signed in January, 1739) between Spain and Great Britain. The King of Spain thereby promised to accept the award of the plenipotentiaries of the two crowns regarding the restitution of the *Success* or her equivalent value, provided the owners gave security to abide by that award (Stock, IV, 656).

The circumstances of the seizure of these two ships can be approximately reconstructed from the documents in this volume and from parliamentary records. The *Sarah* was taken on 29 June 1738 in passage from Jamaica to Bristol, and if the facts alleged in the British case are correct she had shipped her Caribbean cargo from Jamaica, not from any Spanish colony. According to her owners, the *Sarah* after clearing from Jamaica had tried for 17 days to beat to windward, i.e. to make the Windward Passage between Cuba and St. Domingue. In the end she was forced to steer northwards through the Gulf of Florida: it was here, about 150 miles west of Cuba, that she was taken, with a cargo



valued by her owners at £9,000. The present volume gives no hint of the Spanish pretext: the governor of Havana, writing of other seizures, merely stated that the *guardacosta* concerned was a ship of the Barlovento squadron and the matter therefore out of his jurisdiction (No. 566i). We learn from another source that the *Sarah* was taken to Havana and there condemned as prize, her master and crew being carried prisoners to Old Spain (Stock, IV, 669).

This capture of a British ship, far from land and carrying what might prove to be an exclusively Jamaican cargo, provoked angry protests. The owners (four Bristol men – George Packer, Richard Farr, Thomas Ross, Thomas Roach – only the second of whom appears in this volume, and that in another connexion) petitioned the House of Commons on 26 February 1739 (Stock, IV, 669). Trelawny's letter of 6 November (No. 497) was, as already stated, produced in the Lords; on 27 February 1739 the mate and one of the crew of the *Sarah* attended the Lords to give evidence; and on the same occasion, one of the owners attended to testify that the master, Jason Vaughan, was still a prisoner in Spain (Stock, IV, 684). In debates in the Lords on 1 March and in the Commons on 8–9 March 1739, reference to the *Sarah* or her master was made by Lord Carteret, Lord Chesterfield, William Pitt and Sir William Wyndham, all four being Opposition speakers (Stock, IV, 703, 724, 774, 787). From Pitt and Wyndham, we learn that Captain Vaughan had by then been released and was back in England.

Four of the British ships taken in 1737, the *St. James*, *Loyal Charles*, *George* and *Dispatch*, were, like the *Sarah* in 1738, engaged in trade to or from Jamaica. From that colony's geographical position it is obvious that the brunt of a Spanish campaign against British shipping would fall upon her. In the first place, the Caribbean winds gave to ships clearing from Jamaica an unattractive choice between the Windward Passage and the Gulf of Florida, both within easy cruising range of Havana. And, secondly, Jamaica was beyond doubt the best sited British colony from which to engage in the illicit trade the Spaniards wanted to stop. Nevertheless, it must not be inferred that the shipping of the Outer Antilles was immune. The case of the *Hopewell* in 1737 shows Puerto Rico being used as a base for *guardacostas* interfering with the trade of the Eastern Caribbean. In the present volume this interference is illustrated by the case of the *Success*, taken five days out of Antigua whence she had sailed for Maryland with a cargo which her owners valued at £10,000. The date of capture, it is virtually certain, was 14 April 1738, despite a protest by Ignatius Semmes, the master, which appears to be dated '23 March 1737' i.e. 1737/8 (Stock, IV, 660); 14 April is the date given in the present volume (No. 247i) and it is also the date given in the Convention of Pardo (Stock, IV, 656). The crew, according to the master's statement, were turned adrift in their longboat eight leagues from the Desert Island Passage and got ashore at the Danish island of St. Thomas.

The owners of the *Success* petitioned the King on 18 July 1738, and a copy of this petition was amongst the papers laid before the House of Lords on 26 February 1739 (Stock, IV, 679). By then, the terms of the Convention of Pardo were known, including the reference of the case of the *Success* to determination by plenipotentiaries. The Convention also named a number of other ships which appeared in Vol. XLIII and which are mentioned in Vol. XLIV, the *Loyal Charles*, *Dispatch*, *George*, *Prince William* and *St. James*, that is to say, most of the principal prizes taken by the Spaniards in 1737. The value of these vessels was included in the sum of reparations for which Spain, albeit in a roundabout way, acknowledged liability (Stock, IV, 655).

It is no matter for surprise that British colonial documents throw little light on whatever justification the Spaniards may have had for their actions. Owners, captains and shippers of goods in British vessels presented themselves as innocent victims of unlawful force, irrationally applied: as indeed some of them were. Three documents in

this volume point in a somewhat different direction. Two have already been mentioned, Governor Trelawny's letters of 6 November (No. 497) and 30 December (No. 566), in which the unlawful intention of the *Union* was clearly stated. The third document is a letter from Governor William Mathew of the Leewards, dated 26 May 1738, where, apropos the *Success*, we learn that two years earlier a pirate from St. Christopher's had plundered a Spanish ship off Puerto Rico and murdered the crew and passengers, including six friars (No. 247). The commander of the *guardacosta* which took *Success* was said to be the brother of one of the victims of this atrocity (No. 247i). On a different topic, but one that is relevant to the friction between Britain and Spain, attention should be given to a statement in this volume by Colonel Martin Bladen, one of the Lords Commissioners of Trade and Plantations. This concerns the dispute between Britain and Spain over logwood-cutting in Campeachy Bay. 'It is certainly one of those things' wrote Bladen 'we can never give up and yet I am afraid we can have no title to it. The merchants say we have, and in representations to be communicated to the court of Spain, as a commissioner of trade I say so too' (No. 114). Better than most, these words encapsulate the Anglo-Spanish *impasse*.

In the Introduction to Vol. XLIII contrast was drawn between the magnitude of the operations of the *guardacostas* and the little attention given by Parliament to that subject in 1737. The explanation is of course that Parliamentary sessions occupied the first four or five months of each year and were over before news of that year's events could reach this country. In 1738, accordingly, Parliament was occupied with old cases such as the *Woolball* and with cases which had occurred in the period covered by the last volume and had only lately come to notice. It is not until the session of 1739 that the affairs of the *Sarah* and the *Success* received Parliamentary attention.

In the journals of Parliament and in the imperfect reconstructions of Parliamentary debates, the matter of the Spanish seizures and detentions of British ships and goods can be seen arising in four ways: the reception of petitions; the personal appearance of witnesses; calls for papers; and finally in debates, which might occur upon the presentation of petitions or reports from committees, or follow the introduction of a bill or resolution.

Petitions to Parliament are not normally to be found in the classes of records comprehended within this Calendar. Georgia provides an exception, copies of the annual petition to the House of Commons for a grant of money being preserved in the archives of the Trustees, e.g. No. 130 in Vol. XLIII and No. 67 in Vol. XLIV of the Calendar. It was not unknown for petitioners to address both King and Parliament in the same or similar terms, and in such cases (though not in all) the petition to the King might be referred to the Commissioners of Trade and Plantations, and so enter the colonial group of records. Broadly speaking, however, the parliamentary and administrative records complement rather than duplicate each other. During the sessions of 1738, petitions were presented to Parliament regarding the manufacture of iron in the Plantations, the entry of foreign linens into colonial markets, and the trade in fish from American waters to the Mediterranean. Seven petitions arose from Spanish depredations. Of these seven, three were from cities interested in the colonial trade (Bristol, Glasgow and Liverpool), and three from owners of British vessels taken as long ago as 1728, 1729 and 1730; for petitions concerning ships taken in 1737 it is necessary to go forward to the parliamentary session of 1739. The most important on this subject in the period covered by this volume was a general petition by 'divers merchants, planters, and others, trading to, and interested in, the British plantations in America, on behalf of themselves, and many others', delivered to the Commons on 3 March 1738 (Stock, IV, 353-5). This is comparable to the memorial to the Duke of Newcastle in the present volume (No. 55), and



to the memorial of 13 October 1737 signed by 151 persons (Vol. XLIII, No. 540).

The appearance in Parliament of witnesses giving evidence on colonial matters is harder to trace. On 16 March 1738, for example, Alderman Perry reported to the Commons that his committee had examined several witnesses, but no names are given in the Journal (Stock, IV, 430). This session is notable for the order of 16 March to Captain Robert Jenkins to attend the Commons immediately (Stock, IV, 426, 430), he being the earless (or supposedly so) master of the *Rebecca*, taken in 1731. On 24 April the Lords required the attendance of Captains Way, Delamotte and Kinselagh (Stock, IV, 519), all masters of ships appearing in the list of Spanish captures given in the Introduction to Vol. XLIII of this Calendar. More personal appearances were made in the session of 1739, some being of witnesses to events reported in the present volume: on 27 February the Lords heard no fewer than eleven witnesses including three concerned in the *Sarab* (Stock, IV, 683-4).

The examination of witnesses, called to amplify petitions already presented, was one way of obtaining first-hand information. Calling for official (and other) papers was another, and in some respects a more effective device. In the sessions of 1738 and 1739 frequent and comprehensive calls were made for papers relating to the Spanish question, by no means all of them being colonial documents in the modern sense. The negotiations between Britain and Spain through our ambassador and other representatives at Madrid were directed by the Secretary of State for the Southern Department – the Duke of Newcastle – who was also responsible for the Plantations. Parliament wanted information both about the negotiations at Madrid and about the facts and allegations reaching Newcastle from the colonies: that is, they wanted ‘Foreign Office’ as well as ‘Colonial Office’ records. The connexion between Newcastle’s two responsibilities – for colonial government and for diplomacy in Southern Europe – is illustrated by a number of colonial papers coming into his office in 1737 and 1738 which were copied and sent on to Madrid. Such papers were endorsed to this effect and can be traced in the indexes to Vols. XLIII and XLIV of this Calendar, under the name of Benjamin Keene, the British ambassador in Spain.

Parliament did not stop at the Secretary’s papers. Several times in 1738 – and more frequently in 1739 – Admiralty papers were demanded, a reminder that there are to-day many records in that group which add to the information in the Colonial Calendar. Officers of the Royal Navy, who were closely concerned with the protection of trade in the Plantations, were apt to be uncommunicative to the governor of the colony in which they were stationed. More than one colonial official might have echoed the words of President Gregory of Jamaica: ‘I have heard it is ticklish meddling with the Navy’ (Vol. XLIII, No. 4). We cannot assume that governors who reported to Newcastle or to the Commissioners of Trade and Plantations were in possession of all the facts which naval officers were reporting directly to the Admiralty. Other boards and offices supplying papers to Parliament in 1738 were the Commissioners of Trade and Plantations, the Office of Ordnance and the Council Office (see No. 100); and many documents were required from and produced by the South Sea Company. Sometimes Parliament requested particular named papers, as on 24 April 1738 when the Lords called for the affidavit of Captain Benjamin Way (Stock, IV, 514; not in the Calendar for 1737 or 1738). More often the summons was for all papers on a particular topic. Sometimes ministers successfully resisted the Opposition’s demands, pleading the delicacy of current negotiations; more often they acceded.

Calls for papers made in 1738 and 1739 can be followed in Parliamentary Journals. The following is a list of the documents in Vols. XLIII and XLIV of this Calendar which are recorded in the Journals as having been produced:

Vol. XLIII

<i>No. of Document</i>	<i>Where Produced</i>	<i>Date of Production</i>
20	Commons	21 March 1738
20i	do.	do.
339	do.	do.
395	do.	15 March 1738
395i	do.	do.
do.	do.	19 February 1739
408	do.	15 March 1738
408i	do.	do.
481	do.	do.
481i	do.	do.
540	do.	do.
595i	do.	19 February 1739
595ii	do.	do.
614	do.	9 March 1738
616	do.	do.

Vol. XLIV

<i>No. of Document</i>	<i>Where Produced</i>	<i>Date of Production</i>
55	Commons	15 March 1738
243	Lords	1 March 1739
497	Commons	19 February 1739
do.	Lords	26 February 1739
497i	Commons	19 February 1739
do.	Lords	26 February 1739



Finally, there were Parliamentary debates on the Spanish question, which in 1738 arose from the presentation of petitions, from reports of committees thereon, from addresses for papers, and from the introduction and reading of a bill (which did not pass) 'for the more effectual securing and encouraging the trade of his Majesty's British subjects to America' (Stock, IV, 564). Reports of Parliamentary debates of this period are highly imperfect. From those that have been collected it appears that the Commons debated the Spanish question on five days in the session of 1738, 3 March, 28 March, 5 May, 8 May and 15 May; and that the Lords debated the matter once, on 2 May. There were some references to Spanish intentions in America in another debate, on 3 February, on the supply for the army. In all, Parliament discussed Spain a great deal in 1738, and even more in 1739. It is not the function of this Introduction to comment on the arguments urged in these debates, but it may be said that they reflect some at least of the attitudes of colonial correspondents in this Calendar.

Georgia, though commonly regarded as supplying part of the explanation of the war which began in 1739, received little attention from Parliament in 1738 beyond the grant of £8,000 to support the expenses of settlement. No progress was made towards agreement on the Florida – Georgia (or as the Spaniards preferred it, Florida – Carolina) border question: the Convention of Pardo of January 1739 merely remitted the matter to plenipotentiaries with an undertaking by both sides not to increase their fortifications there. Before the Convention had been signed, however, the military situation on this border had been altered by the arrival in Georgia in mid-September of the main party of Oglethorpe's regiment, with Oglethorpe himself in command (Nos. 456, 460). Formerly, the Spanish troops at St. Augustine could have been opposed only by Georgia and South Carolina militia. Oglethorpe's troubles – and Georgia's apprehensions – were prolonged by disaffection in the regiment (Nos. 504, 509–10) and by a financial crisis in the affairs of the colony; but it is nevertheless true that the balance of force on the only frontier common to Britain and Spain (Gibraltar excepted) had been decisively changed.

# List of Records

## from which this volume has been compiled

### *America and West Indies:*

Original Correspondence, Secretary of State, 1733-48	...	...	C.O. 5/5
Original Correspondence, Secretary of State, Massachusetts, New Hampshire, Rhode Island, 1710-52	...	...	C.O. 5/10
Entry Book of Commissions and Instructions, 1734-38	...	...	C.O. 5/196
Entry Book of Commissions and Instructions, 1738	...	...	C.O. 5/197
Entry Book of Commissions and Instructions, 1738-41	...	...	C.O. 5/198

### *North Carolina:*

Original Correspondence, Board of Trade, 1736-40	...	...	C.O. 5/295
Entry Books of Commissions, Instructions, etc., 1730-54	...	...	C.O. 5/323

### *South Carolina:*

Original Correspondence, Board of Trade, 1737-38	...	...	C.O. 5/366
Original Correspondence, Board of Trade, 1739-40	...	...	C.O. 5/367
Original Correspondence, Board of Trade, Drafts, 1722-74	...	...	C.O. 5/381
Original Correspondence, Secretary of State, 1737-43	...	...	C.O. 5/384
Original Correspondence, Secretary of State, 1730-46	...	...	C.O. 5/388
Entry Book of Grants of Land, 1674-1765	...	...	C.O. 5/398
Entry Book of Commissions, Instructions, etc., 1730-39	...	...	C.O. 5/401
Shipping Returns, 1736-44	...	...	C.O. 5/510

### *Georgia:*

Original Correspondence, Board of Trade, 1735-37	...	...	C.O. 5/639
Original Correspondence, Board of Trade, 1737-41	...	...	C.O. 5/640
[These two volumes are so described in the list of Colonial Office records, <i>Lists and Indexes</i> , No. XXXVI. In fact they are the letters of the Trustees for Georgia]			
Original Correspondence, Secretary of State, 1735-41	...	...	C.O. 5/654
Entry Book of Letters from Trustees, 1736-40	...	...	C.O. 5/667
Entry Book of Grants of Land, Instructions, Petitions, etc., 1732-40	...	...	C.O. 5/670
Journal of Trustees for Georgia, 1737-45	...	...	C.O. 5/687
Minutes of Council of Trustees, 1736-41	...	...	C.O. 5/690

### *New England:*

Original Correspondence, Board of Trade, 1737-38	...	...	C.O. 5/880
Original Correspondence, Board of Trade, 1738-40	...	...	C.O. 5/881
Original Correspondence, Board of Trade, Drafts, 1688-1774	...	...	C.O. 5/896
Original Correspondence, Board of Trade, Drafts, 1731-74	...	...	C.O. 5/897
Original Correspondence, Secretary of State, 1733-41	...	...	C.O. 5/899
Entry Book of Instructions, Board of Trade Correspondence etc., 1731-41	...	...	C.O. 5/917
Original Correspondence, Secretary of State, 1738-44	...	...	C.O. 5/932



*New Jersey:*

Original Correspondence, Board of Trade, 1734-43	...	...	...	C.O. 5/973
Original Correspondence, Secretary of State, 1728-41	...	...	...	C.O. 5/983
Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1720-38	...	...	...	C.O. 5/996
Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1738-55	...	...	...	C.O. 5/997
Shipping Returns, 1722-51	...	...	...	C.O. 5/1035

*New York:*

Original Correspondence, Board of Trade, 1737-42	...	...	...	C.O. 5/1059
Original Correspondence, Secretary of State, 1728-49	...	...	...	C.O. 5/1086
Original Correspondence, Secretary of State, 1737-45	...	...	...	C.O. 5/1094
Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1735-48	...	...	...	C.O. 5/1126
Shipping Returns, 1731-38	...	...	...	C.O. 5/1225
Shipping Returns, 1735-52	...	...	...	C.O. 5/1226

*Pennsylvania:*

Original Correspondence, Secretary of State, 1690-1767	...	...	C.O. 5/1233
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*Proprieties:*

Original Correspondence, Board of Trade, 1737-40	...	...	C.O. 5/1269
Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1727-51	...	...	C.O. 5/1294

*Virginia:*

Original Correspondence, Board of Trade, 1736-40	...	...	C.O. 5/1324
Original Correspondence, Secretary of State, 1694-1745	...	...	C.O. 5/1337
Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1728-52	...	...	C.O. 5/1366
Shipping Returns, 1735-53, York and Rappahannock Rivers	...	...	C.O. 5/1444
Shipping Returns, 1735-56, South Potomack and Accomack Districts	...	...	C.O. 5/1445
Shipping Returns, 1736-53, James River and Port Hampton	...	...	C.O. 5/1446

*Bahamas:*

Original Correspondence, Board of Trade, 1736-43	...	...	C.O. 23/4
Original Correspondence, Secretary of State, 1728-46	...	...	C.O. 23/14
Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1717-42	...	...	C.O. 24/1
Shipping Returns, 1721-51	...	...	C.O. 27/12

*Barbados:*

Original Correspondence, Board of Trade, 1737-42	...	...	C.O. 28/25
Original Correspondence, Secretary of State, 1729-41	...	...	C.O. 28/45
Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1734-47	...	...	C.O. 29/16
Shipping Returns, 1728-53	...	...	C.O. 33/16

*Bermuda:*

Original Correspondence, Board of Trade, 1737-40 ... ..	C.O. 37/13
Original Correspondence, Secretary of State, 1703-45 ... ..	C.O. 37/26
Original Correspondence, Secretary of State, 1728-44 ... ..	C.O. 37/29
Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1723-48 ... ..	C.O. 38/8
Shipping Returns, 1738-51 ... ..	C.O. 41/7

*Jamaica:*

Original Correspondence, Board of Trade, 1735-38 ... ..	C.O. 137/22
Original Correspondence, Board of Trade, 1738-43 ... ..	C.O. 137/23
Original Correspondence, Secretary of State, 1735-77 ... ..	C.O. 137/48
Original Correspondence, Secretary of State, 1736-40 ... ..	C.O. 137/56
Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1734-43 ... ..	C.O. 138/18

*Leeward Islands:*

Original Correspondence, Board of Trade, 1736-40 ... ..	C.O. 152/23
Original Correspondence, Secretary of State, 1721-49 ... ..	C.O. 152/40
Original Correspondence, Secretary of State, 1734-45 ... ..	C.O. 152/44
Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1735-47 ... ..	C.O. 153/16

*Newfoundland:*

Original Correspondence, Board of Trade, 1735-40 ... ..	C.O. 194/10
Miscellaneous Papers, 1720-93 ... ..	C.O. 194/21
Original Correspondence, Secretary of State, 1706-45 ... ..	C.O. 194/24
Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1719-41 ... ..	C.O. 195/7

*Nova Scotia:*

Original Correspondence, Board of Trade, 1736-43 ... ..	C.O. 217/8
Original Correspondence, Secretary of State, 1730-46 ... ..	C.O. 217/39
Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1720-49 ... ..	C.O. 218/2

*West Indies:*

Original Correspondence, Board of Trade, 1734-40 ... ..	C.O. 323/10
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*Colonies, General:*

Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1733-49 ... ..	C.O. 324/12
Entry Book of Grants and Warrants, 1736-49 ... ..	C.O. 324/37
Entry Book of Commissions, Instructions, Warrants, Patents, Grants of Land, 1728-51 ... ..	C.O. 324/50



Publications mentioned in this volume are abbreviated as follows:

A.P.C. (Colonial Series)	<i>Acts of Privy Council</i> , Colonial Series
Cal. S.P. Col.	<i>Calendar of State Papers, Colonial, America and West Indies</i>
Georgia Records	<i>The Colonial Records of Georgia</i> , compiled by A. D. Candler
Stock	L. F. Stock, <i>Proceedings and Debates of the British Parliaments respecting North America</i>





# COLONIAL PAPERS

1738

1  
January 2.  
Boston.

William Shirley to Duke of Newcastle. I take the liberty to trouble you with my request that if Mr. Pemberton the present Naval Officer for the province, should be displaced I may succeed him. The reason of my asking this post of you is that Mr. Lyde, son-in-law to Governor Belcher, who was Mr. Pemberton's immediate predecessor in it by the governor's appointment and was removed from that post to let Mr. Pemberton in, embarked a few days ago from this place for England in order to get Mr. Pemberton removed and to regain the post upon an assurance which Mr. Holden of the Bank (who has been for some time soliciting Sir Robert Walpole for this post in favour of the governor) has lately given H.E. in a letter (which he has showed me in order to prevent my application to you for it) that Sir Robert told him he believed he should give Mr. Lyde the post again in a little time; and thereupon Mr. Holden advised the governor to send Mr. Lyde over to solicit for it in person, and he is accordingly gone furnished with proof that Mr. Pemberton obtained the post by an imposition and deceit upon the ministry. Now it seems not improbable that Mr. Pemberton may be dropped upon his being detected in his false pretence of losses unjustly sustained in the French trade, upon the sole merit of which and to reimburse himself he got (as I am informed) Sir Robert Walpole's recommendation of him to you for this post without any personal interest or other pretence of merit, and especially since he has more than reimbursed himself his supposed losses by the enjoyment of his post, I thought it might possibly afford an opening for me to your favour by means of which I already stand recommended to H.M. for some post in the Customs in America within which description the post of Naval Officer comes and is consistent with discharging my duty as advocate-general in this and the two neighbouring provinces. As to Mr. Lyde who is gone to England with a complaint of hardship in being removed from the Naval Office, I can assure you that he has not suffered by the loss of that post, the governor having upon his being displaced given him the post of clerk of the inferior court of Common Pleas for the county of Suffolk in this province which is equal if not superior in profit to the Naval Office and which, H.E. tells me, he is to resign in favour of H.E.'s eldest son here in case he can procure the Naval Office again; otherwise he is to hold it on. The reason why I trouble you with a detail of such minute circumstances is to prevent any misrepresentation from Mr. Lyde of hardship or sufferings sustained by him in the loss of the Naval Office, which it is the chief occasion of his voyage home to endeavour to raise.

I would beg leave to trespass a little further upon you whilst I just mention that Governor Belcher, notwithstanding the Naval Office in other colonies as well as this has been disposed of and filled up by the crown, insists upon the disposal of it here as his right and perquisite and tells me he is determined at all events, let who will oppose him, to recover it by means of Sir Robert Walpole with whom he insists to me the appointment to this post on the part of the crown solely rests; and further to prevent

my application to you for it, threatens me with his displeasure if I do, and tells me, if I should succeed, he shall be very troublesome to me. And I mention this only as a foundation for me to beg the favour of you, in case you should think proper to confer this post upon me, that the grant may be during good behaviour or (if that is too great a favour for me to ask) during my holding the post of H.M.'s advocate-general, for my services in which I stand recommended to H.M. for some post of profit, that I may not be left in a situation which may expose me to the ill-usage of this or any future governor, and as your favour and patronage are my greatest honour as well as my chief dependance for the comfortable support and wellbeing of my family, I beg your continuance of them to me. *Signed.* 3½ small pp. [C.O. 5, 899, fos. 323-324d.]

2 Certificate by Governor Richard Fitzwilliam that the following  
January 5. accounts were examined, passed in council and sworn to by William Stewart, receiver-general and treasurer. Account of duty inwards imposed by Act of assembly in the Bahama Islands, midsummer 1737-Christmas 1737. 10 ships. Duty: 50*l.* 14*s.* Account of same outwards for same period. 23 ships. Duty: 96*l.* 4*s.* Account of arrears of taxes for same period: 14*l.* 11*s.* 7*d.* Account of contingent charges for same period: 62*l.* 2*s.* 4½*d.* Account of H.M.'s revenues in the Bahamas for same period. Receipts: 447*l.* 9*s.* 10½*d.* including balance from last account of 286*l.* 0*s.* 3*d.* Disbursements: 131*l.* 6*s.* 4½*d.* Balance remaining: 316*l.* 3*s.* 6*d.* *Signed,* William Stewart. *Certified* by Richard Fitzwilliam. 5 pp. *Endorsed,* Recd. from Governor Fitzwilliam 9 January, Read 18 January 1738/9. [C.O. 23, 4, fos. 51-54d.]

3 Harman Verelst to Thomas Causton. There were shipped on the  
January 6. *Amey* two boxes for the Salzburghers at Ebenezer and on the *Lightfoot*  
Gravesend. two casks for William Rigden at Savannah which will be delivered to you. The mate's receipt for the first Col. Cochran has, being shipped with copper halfpence for the regiment, and for the two casks the quartermaster has the mate's receipt. Rev. Mr. Whitefield on board the *Whitaker* with Mr. Tolly and Mr. Habersham, his assistants, are going to Frederica; his said assistants are for instructing the children, and when Mr. De La Motte shall go to England to see his friends one of them will supply his absence. Mr. Tolly and Mr. Habersham are to be supplied for one year with provisions [*particulars given*]. Joseph Husbands, Mr. Whitefield's servant, and John Doble, servant to Mr. Charles Wesley, are each to be supplied for one year with provisions [*particulars given*]. As to what provisions Mr. Whitefield may want, you are desired to supply him with them at prime cost and place it to his account; and to communicate the foregoing to the storekeeper at Frederica. *Entry.* 1 p. [C.O. 5, 667, fo. 52.]

4 Same to same, informing him of the arrangements for subsistence of  
January 6. Mr. Whitefield, Mr. Habersham, Mr. Tolly, Husbands and Doble, in  
Nore. their passage to Georgia. *Entry.* ½ p. [C.O. 5, 667, fo. 52d.]

5 Duke of Newcastle to Governor William Mathew enclosing copies of  
January 7. letter from Commissioners of Customs and of memorial of Mr.  
Whitehall. Arbuthnot, their collector in Antigua, setting forth his great difficulties in getting possession of certain lands in Tortola which he purchased of the crown, the same having been seized by extent towards satisfying a debt to the crown from the late collector. You are to give the most effectual orders and best assistance, according to law, to Mr. Arbuthnot for being admitted to possession. *Entry.* ¾ p. *Enclosed,*  
5. i. Custom House, London, 10 December 1737. Commissioners of Customs



to Duke of Newcastle asking for orders to be issued to put Mr. Arbuthnot in possession of lands in Tortola. *Entry. Signatories*, Robert Corbet, J. Evelyn, Robert Baylis, R. Chandler. 1 p.

5. ii. London, 7 December 1737. Petition of Robert Arbuthnot to Commissioners of Customs setting forth the difficulties of his case. There is no court of justice in Tortola. *Entry*. 3 pp. [C.O. 324, 37, pp. 103-107; draft and copies in C.O. 152, 44, fos. 126-131d.]

6  
January 10.  
Frederica. Thomas Hawkins to Harman Verelst enclosing for the Trustees an invoice of drugs necessary for the several persons employed in their service in this southern division of Georgia. I have but few drugs that are of use here, having had great demands of late. I have been very sparing in the quantity, having found a great decay in the quality of medicines by keeping them (though but a short time). Please inform the Trustees that I have lost but two patients at Darien since my last to you, notwithstanding scarce one has escaped an illness and many yet remain in a doubtful way. The people at St. Andrew's are much better and we have none ill at Frederica. *Signed*. 1 p. [C.O. 5, 640, fo. 38.]

7  
January 11.  
Palace Court. Minutes of meeting of Trustees for Georgia. Read letter from William Stephens of 26 October 1737, Charleston, giving an account of his safe arrival there.  $\frac{1}{2}$  p. [C.O. 5, 687, p. 53.]

8  
January 11.  
Georgia Office. Harman Verelst to Thomas Causton by *Whitaker*, Capt. Whiting. The Trustees have sent you sola bills for 2650*l.* since August 1737 for the supply of the colony to Lady Day next. They have received the following certified accounts since 14 December last which these sola bills would have answered, vizt. (dates when certified) 15 July 1737, David Provoost, for provisions, 43*l.* 16*s.* 4*d.*; 10 August, Thomas Ware, for provisions, 226*l.* 4*s.* 9*d.*; 20 September, James Searle, for pettiagua hire, 62*l.* 17*s.* 1*d.*; 28 September, Benjamin Appelbe, for provisions, 138*l.* 12*s.* 11*d.*; 29 September, William Vanderspiegel, for provisions, 293*l.* 3*s.* 11*d.*; 2 October, Capt. James Macpherson, for pay of rangers at Ft. Argyll, 425*l.* 0*s.* 4*d.*; 4 October, Samuel Montaigut & Co., for provisions, 166*l.* 3*s.* 11*d.*; 14 October, Capt. Aeneas Mackintosh, for pay etc. at Ft. St. George and expenses for Indians, 221*l.* 10*s.* 6*d.*; 17 October 1737, Robert Ellis, for provisions, 384*l.* 7*s.* 10*d.* Total, 1961*l.* 17*s.* 7*d.* They have therefore sent back the said certified accounts to be paid by you in Georgia, for the Trustees having appropriated money to answer their sola bills cannot apply it in any other manner. They therefore give you notice thereof that you may reserve sola bills for that purpose. No more bills of parcels or certified accounts for provisions or necessities bought in the colony or for money due or to grow due there will be paid in England. All expenses and charges of the colony in America must be defrayed with the Trustees' sola bills to be issued there and must be limited to the amount of such bills from time to time as they shall be sent. *Entry*. 1  $\frac{1}{2}$  pp. [C.O. 5, 667, fos. 52d-53.]

9  
January 11.  
Whitchall. Council of Trade and Plantations to the King, recommending John Rindge to succeed Benjamin Gamlin, deceased, as member of the council of New Hampshire. *Entry. Signatories*, James Brudenell, Monson, R. Plumer, T. Pelham. 1 p. [C.O. 5, 917, fo. 106; draft in C.O. 5, 896, fos. 92-93d.]

- 10** Order of King in Council, approving draft commission to Alured Popple to be governor of the Bermuda Islands with alteration of title to governor as proposed in representation of Council of Trade and Plantations of 25 October 1737. *Signed*, W. Sharpe. *Seal*. 1½ pp. *Enclosed*,  
 January 12. St. James's.  
 10. i. Commission to Alured Popple to be governor of the Bermuda Islands. *Draft*. 21 pp. [C.O. 5, 197, fos. 3-16d.; copy of order in C.O. 37, 13, fos. 45, 45d, 49, 49d.]
- 11** Same, approving an Act made in New York in 1734 for the partition of land in Duchess County granted to Sampson Broughton and others. *Copy*, certified by W. Sharpe. 1¼ pp. *Endorsed*, Recd. 28 March, Read 13 April 1738. [C.O. 5, 1059, fos. 41, 41d, 44, 44d.]  
 January 12. St. James's.
- 12** Same, approving report from Committee for Plantation Affairs and drafts of instructions for Edward Trelawny, governor of Jamaica. The names of Edward Charlton, Henry Dawkins, William Gordon and Temple Laws are omitted from the list of councillors, they having lately withdrawn therefrom. The governor is to enquire into this matter and is empowered to reinstate the four members. The name of John Stewart is inserted in the list of councillors in place of William Needham, resigned. The other instructions appear to be the same as those given to the late governor except the 13th article of instructions relating to trade and navigation inserted at the request of the Commissioners of Customs. *Signed*, W. Sharpe. *Seal*. 2½ pp. *Enclosed*,  
 January 12. St. James's.  
 12. i. Additional instruction for Governor Trelawny to enquire into taxes on Jews. *See* No. 14. *Draft*. 1½ pp.  
 12. ii. General instructions for the same. *Draft*. 63 pp.  
 12. iii. Instructions for the same relating to trade and navigation. *Draft*. 31 pp. [C.O. 5, 196, fos. 234-286d; copy of order, endorsed Recd. 28 March, Read 13 April 1738 in C.O. 137, 22, fos. 182-184d.]
- 13** Same, on a report from Committee for Plantation Affairs, confirming an Act passed in Jamaica in May 1736 for introducing white people into the island. *Copy*, certified by W. Sharpe. 1½ pp. *Endorsed*, Recd. 28 March, Read 13 April 1738. [C.O. 137, 22, fos. 185-186d.]  
 January 12. St. James's.
- 14** Same, approving report of Committee for Plantation Affairs [*see* A.P.C., Colonial Series, 1720-45, pp. 487-488] on a petition against extraordinary taxes laid upon the Jews in Jamaica. Governor Trelawny is to enquire into the matter and in the meantime not to give his assent to any such laws. The following additional instruction is approved. *Copy*, certified by W. Sharpe. 2¼ pp. *Endorsed*, Recd. 28 March, Read 13 April 1738. *Enclosed*,  
 January 12. St. James's.  
 14. i. Additional instruction mentioned in the order. *Draft*. 1½ pp. [C.O. 137, 22, fos. 177-179d.] [Order, signed by W. Sharpe and sealed, in C.O. 5, 196, fos. 291-292d.]
- 15** Same, approving an Act passed in Virginia in October 1734 for docking the entail of certain lands in the counties of Gloucester and Elizabeth City and vesting the same in Henry Wills. *Copy*, certified by W. Sharpe. 1¼ pp. *Endorsed*, Recd. 28 March, Read 13 April 1738. [C.O. 5, 1324, fos. 123-124d.]  
 January 12. St. James's.



16

January 12.  
St. James's.

Same, approving draft instructions for the Earl of Albemarle, governor of Virginia. The instructions are conformable to those to other governors except leaving out the 14th article relating to salary of assemblymen, the same being settled by an Act passed in Virginia in 1730. *Signed*, W. Sharpe. *Seal*. 2 pp. *Enclosed*,

16. i. Instructions for Earl of Albemarle, governor of Virginia. *Draft*. 68 pp.

16. ii. Instructions to the same relating to trade and navigation. *Draft*. 32 pp. [C.O. 5, 196, *fos.* 162-217*d*; copy of order, endorsed Recd. 28 March, Read 13 April 1738 in C.O. 5, 1324, *fos.* 126, 126*d*, 130, 130*d*.]

17

January 12.  
Havana.

Governor of Havana to President of Jamaica, replying to letter of 5 December last concerning English vessels taken by *guardacostas*. In that act no hostility has been committed for by the affidavit and process thereon (which I have transmitted to the king of Spain) appears sufficient cause for their capture by the actual transgression in which they were found of having a part of their cargoes of Campeachy wood, a trade only belonging to the subjects of the Spanish king and the royal asiento, and to no other. I am sorry you should do me so little honour to propose the pacific and amicable restitution of the ships with their crews, cargoes and damages, rather than oblige you to use violence in return for violence. In this you entertain an opinion and give for granted what there is no ground for nor could my honour allow of. The question being now sent to the king, I can do nothing to release the ships until I received orders. I have received no answer to a letter of two years past concerning a lieutenant of a perriagua at Manzanillo who was handed over by an English captain to a Dutch frigate and there whipped to death and thrown overboard. The captains and crews of English ships taken as prizes were put on board the ships *Fuerte* and *Conception* at their own requests and sailed for Europe in November last. They were used here with all regard. *Copy*, of translation. 2½ pp. *Endorsed*, copy sent to Mr. Keene, 12 April 1738. [C.O. 137, 56, *fos.* 85-86*d*.]

18

January 13.  
Whitehall.

Order of Committee of Council for Plantation Affairs referring the enclosed to Council of Trade and Plantations for consideration and report. *Signed*, W. Sharpe. *Seal*. 1½ pp. *Endorsed*, Recd., Read 17 January 1737/8. *Enclosed*,

18. i. Petition of Benjamin Johnson and William *alias* Billy Johnson of Antigua to the King. During the enquiry by John Vernon, Ashton Warner, Nathaniel Gilbert and Robert Arbuthnot into the slave-conspiracy in Antigua, petitioners were almost constantly under arms guarding the prisoners, and were never at that time accused of being party to the conspiracy. Only during the later enquiry by Valentine Morris, Josiah Martin, Henry Douglas, Benjamin King and Thomas Watkins, were they accused and then by slaves under sentence of death and not pardoned. Because by the laws in that island the testimony of slaves is not admissible as evidence against freemen an Act of attainder was passed against the petitioners, suspended till H.M.'s pleasure should be known. Petitioners represent the inconveniences arising from allowing slave-testimony against freemen: in this case the testimony not only comes from slaves but arises chiefly from persons under sentence of death, one of whom had been for several hours fastened to a gibbet to starve to death, under which circumstances it may be supposed he would have accused anyone. The bill of attainder was passed by a majority of only one or two voices; if the attorney-general of Antigua and another member who was sick had been present the bill would not have been committed. Petitioners have never shown any inclination to rebellion but have done

their duty in the militia and paid their taxes; it is scarcely credible they would have sacrificed their substance by becoming party to a design which must have reduced them to a level with if not in subjection to their own slaves. They pray that royal assent to the bill may be denied and some relief extended to them. *Copy.* 5½ pp. [C.O. 152, 23, fos. 68-72d.]

**19** Duke of Newcastle to Council of Trade and Plantations directing that  
January 13. drafts of commission and instructions be prepared for Lewis Morris  
Whitehall. senior, appointed governor of New Jersey in the room of Lord  
Delawarr. *Signed*, Holles Newcastle. 1 p. *Endorsed*, Recd. 14 January, Read 17 January  
1737/8. [C.O. 5, 973, fos. 106, 106d, 109, 109d.]

**20** Andrew Millar to Harman Verelst enclosing copy of his brother's  
January 14. letter received this day. I suppose the Board will make no objection  
London. to the payment of his salary to Christmas last, there being then half a  
year due. *Signed.* ¼ p. *Enclosed*,  
20. i. Robert Millar to Andrew Millar, Port Royal, 28 October 1737, giving an  
account of his long illness and his waiting for a ship for Vera Cruz. *Copy.* ¾ p.  
[C.O. 5, 639, fos. 415-416d.]

**21** Thomas Causton to Trustees for Georgia. Capt. Thompson arrived  
January 14. here 16 November with whom came the several servants and passen-  
Savannah. gers as per list enclosed. Having sent the 40 servants whom you  
particularly ordered for the Darien, in further pursuance of your orders I also sent thither  
the chiefest part of those other servants which the captain brought at the owners' risk,  
the particular dispositions of which are enclosed. I also enclose accounts of the stores  
which I have received of him as shipped either in England or Scotland. Mr. Hossack  
having by his letter (copy enclosed) recommended Mr. John Broadie as a settler in this  
province, I have endeavoured to accommodate him in the best manner I could. He has  
brought with him . . . .<sup>1</sup> servants. He is settled in a new village on the western road  
which had been ordered to be set out before Mr. Oglethorpe left this place. As he was  
not able to answer to the captain the charges of their passage, they are included among  
the number of servants shipped at the owners' risk, for which I have given my receipt  
to the captain; I have therefore their indentures and he agreed that six of them should  
be employed in your service, the pay of whom is to answer in his account for said passage  
and such other necessities as I shall be obliged to supply him for his further support in  
the cultivation of his land, those six having been hitherto employed on the roads. He  
seems a very sober man and with the remainder of his servants is very diligent in his  
improvements on his settlement.

Mr. Warwick who arrived by the same ship with a grant of 50 acres of land at or  
near Savannah has made his choice to settle in the same village with Mr. Broadie and  
seems very industrious. At his arrival he complained that the tediousness of the voyage  
had occasioned him to be at great expense whereby he was much straitened in his  
circumstances; I thought therefore (as it was necessary and might be an encouragement  
to his industry) it would not be disagreeable to you if I assisted him, the immediate  
expense of which is charged in Capt. Thompson's account, and I have further promised  
to credit him with provisions and necessities so long as he continues his industry in the  
cultivation of his land. Mr. George Foster who came by the same ship had indented to

<sup>1</sup>Blank in MS.



himself three other servants from Scotland: he delivered me your orders for a 50-acre lot at Frederica, in obedience to which I proposed to him an immediate passage thither with two servants that were indented to him in England and that as he could not pay for the other three servants they should be employed in your service and thereby to clear their own passage and what remained due for the servants which he had brought from England as also such further credit as he would necessarily want at Frederica for his support. Whether by falling into ill company or through a want of a proper resolution or both, I could not bring him to any certainty; he wanted two of the servants which he had brought from Scotland (a man and his wife) and one of those which he brought from England to have gone with him and to have left me one man and one woman. As I found his thoughts set upon experiments only and that he was of too volatile a temper to make any considerable progress, I thought it necessary to consider how far the security to be left in my hand would be able to answer for the credit given him and therein finding that besides the present expense of 40*l.* for the passages of his servants there would be within the compass of a year (with the utmost frugality) 40*l.* more, which also might be doubled should he also live in the same manner as some others have done, concerning which I had little reason to expect otherwise, I therefore advised him to adhere to those measures only which he set out with from England, to quit his claim to those servants he had shipped at Scotland since as they were two women and but one man they would be an incumbrance to him, and so proceed to Frederica with his two English servants where he should be supported as necessity required, he repaying the store there in soap or such other commodities as he should make. But an indolent, uncertain humour has too much prevailed with him; he fell in company with Mr. Paris and some other of the Carolina people whom I am informed gave him an invitation thither and he accordingly left the two English servants in my service and has made a tour thither.

Mr. Thomas Upton, who also with his wife arrived by the same ship, had procured five servants to be indented to him in Scotland. At their arrival he delivered me a letter containing your orders that he should have 150 acres of land set him out at the southward; I forwarded him as soon as possible to Frederica and acquainted Mr. Horton that he had such grant. He also complained to me as Mr. Warwick had done, and for the same reasons was unable to pay the passage of those servants he had so indented. Believing it my duty to facilitate everyone's affairs who seemed desirous to succeed well in their undertakings, his five servants are also included in the number of those at the owners' risk and for his immediate assistance sent with him two men and one woman servant; and he agreed that, in regard to the credit of the passage of the five servants and such other necessities which he stood in need of beyond the sum of 30*l.* which his friends were to pay to you, the other two servants should be left here and employed in your service. I therefore sent them to the sawmill at Ebenezer. Mr. Horton having since informed me that Mr. Upton has made some progress on his settlement and seemed to be very industrious, I have at his request sent his two other servants to him.

The several servants and goods (as per copy of invoice) sailed for the Darien from this place 23 November and Mr. Upton and Samuel Smallwood sailed for Frederica the 25th, and I have advice from the respective places that they all arrived safe and in good health. Lieut. Mackintosh has been since here and has delivered me his account of stores. As I found it necessary to put it in some other form to make the account plain and complete, I advised him in what manner it should be done and I expect that he will return it me by the messenger who is now there. Capt. Thompson has given me an account of the great sincerity and diligence with which Mr. Hossack has behaved notwithstanding the opposition he met with, of which I make no doubt but you are suf-

ficiently acquainted. But I hope I may be excused from saying anything particular at a second hand which he is able to inform you of himself. As I am sensible the steady execution of justice adds much to the reputation of any country, I shall not fail to have a strict regard to that part of it where servants may be at any time concerned, and as I am sensible myself that no servants can be by any means acquired if they are ill-treated, I shall take care to promote the same opinion in others. *Signed.* 2½ pp. *Endorsed,* Recd. and Read 12 April 1738. [*C.O.* 5, 640, *fos.* 39-40d.]

22

January 15.  
Cape Fear.

Governor Gabriel Johnston to Council of Trade and Plantations.

I have sent over a full representation of the state of this colony from its first settlement to the present time to the Lords of the Committee of the Privy Council for Plantation Affairs, which I don't doubt will of course be laid before you. I must therefore beg that you would determine the points therein contained as soon as possible, the confusions in this province being much increased by the suspense we have been kept in for more than two years with regard to the blank patents and the validity of their laws. I must once more observe that if the laws made by the people and not confirmed by the late proprietors can affect H.M., his rights and revenues, this colony will be more independent of the crown than Rhode Island. Edmund Porter, a member of the council, being lately dead, I recommend James Murray to fill up that vacancy. *Signed.* P.S. I have transmitted the copies of three laws proper to be repealed if you please. 1½ small pp. *Endorsed,* Recd. from Mr. McCulloch, 20 December 1738, Read 10 January 1738/9. *Enclosed,*

22. i. An Act to direct disposal of goods upon execution; an Act to prevent disputes concerning lands already surveyed; an Act entitled Staple Commodities Rated. *Copies.* 5½ pp. *Endorsed,* Recd. from Mr. McCulloch, Read 10 January 1738/9. [*C.O.* 5, 295, *fos.* 134-139d.]

23

January 16.  
Savannah.

Martha Causton to [Trustees for Georgia]. I write to inform you of

the state of the silkworms and the progress they made last season in this province. They hatched in March when the mulberry trees had been about three weeks in leaf; they were kept in a house 24 foot long wherein were five tables of the full length and width of the house. These tables were wholly covered with the worms as was likewise the upper floor. Their numbers, regular disposition and manner of working drew many to see them who looked upon the whole as a matter worthy of admiration. The Chickesaw Indians who were here at that time were in an exceeding measure delighted with them, never failing their attendance at the house twice a day during their continuance at Savannah. I ordered the interpreter to inform them that silk was for clothes and one of them said they had not those worms in their nation but that if they had and knew the method of keeping they could return us yearly canoes laden with balls having a great abundance of mulberry trees up in their country to supply them with food. Mrs. Camus (who is the person employed by you in the management of this business) has an exceeding fine hand at working the silk and she is of opinion that it would be very conducive to the furtherance thereof if the girls of this place were trained to that employment. It was computed that we should have made 40 lbs. of silk but we could not procure enough leaves for the worms; nevertheless we had about 5 lbs. The trees under Mr. Amistie's care fell short through some mismanagement of his and the people of Purrysburgh contrary to their promises suddenly stopped the exportation of leaves. We sent to Port Royal for leaves but they spoiled. The gentlewomen of this place have resolved to breed silkworms as soon as they can procure mulberry trees: I have an orchard of 1000 trees of four years growth and expect as many more from



Carolina. One of the Indians has promised to bring down his wife and children in the summer to learn the art of keeping the worms. I have delivered to Mr. Anderson for your garden two hives of bees which in this country are extremely productive. *Signed.* 1 p. *Endorsed*, Recd. and Read 12 April 1738. [C.O. 5, 640, fo. 42, 42d.]

24

January 18.  
St. James's.

Royal warrant to Attorney- or Solicitor-General for a bill to be prepared containing grant of office of secretary of New York to George Clarke jnr. in the room of George Clarke snr. *Entry.* 1 p. [C.O. 324, 37,

pp. 107-8.]

25

January 18.  
Jamaica.

Rose Fuller to Duke of Newcastle. By the death of two gentlemen of the council of this island and by the resignation of three others the number was reduced to less than what are required by H.M.'s instructions to make a quorum, and Mr. Gregory has thought proper to call me to the board. I request that this may be confirmed. *Signed.* 1½ pp. *Endorsed*, Recd. 31 May. [C.O. 137, 56, fos. 70-71d.]

26

January 19.  
Jamaica.

President John Gregory to Council of Trade and Plantations. Mr. Dawkins, Mr. Gordon and Mr. Charlton, three of the four who withdrew their attendance, have written acquainting me they resigned their seats in council. I am of opinion Mr. Laws who was the fourth that withdrew would have joined them in this as well as in the rest of their behaviour but he was out at sea for the recovery of his health. Upon these contingencies I was not only impowered but directed by my instructions to fill up the council to the number of seven; and indeed there was a necessity for so doing for the annual laws were expiring and I could not call the assembly to revive them without a quorum of the council. I did upon this occasion nominate and swear into the council Rose Fuller and Samuel Dicker, men well affected to H.M.'s government, agreeable to the country and of good capacities and circumstances. I first made the offer to two gentlemen who had been recommended in Mr. Cunningham's time: Mr. Ely died before I had his answer and Mr. Price declined, not as I am well assured through any disinclination to the post or disregard to me but imagining as I believe the seat in council might be precarious barely upon my nomination and chosing rather to come in by commission. I hope there could be no foundation for any such surmise since what I did was not to gratify any ambition or inclination of my own but purely in obedience to my instructions. Therefore I hope you will interpose in this affair and countenance me in this part of my administration that my nomination may be confirmed, since otherwise it would not only reflect some disgrace upon the gentlemen that are named but likewise upon the authority that appointed. *Signed.* *Duplicate*, original not being recd. 2 small pp. *Endorsed*, Recd. 25 March, Read 12 April 1738. [C.O. 137, 22, fos. 176, 176d., 180, 180d.]

27

January 19.  
Jamaica.

Same to Duke of Newcastle. [*In substance same as No. 26.*] *Signed.* 2 small pp. *Endorsed*, Recd. 31 May. [C.O. 137, 22, fos. 72-73d.; duplicate, endorsed Recd. 24 March, at fos. 87-88d.]

28

January 19.  
Savannah.

William Stephens to Harman Verelst. I wrote you the 21st ult. by the *Fanny* (Capt. Newton) wherein I acknowledged yours of 10 October. Part of the directions therein received I have already fulfilled as will appear by the papers herewith sent, and the rest shall be punctually observed in due course of time. I have now received by Capt. Daubuz two more servants sent me from

the Trust, a man and a boy, which last I do not think the worse of for his years considering the length of his service. These complete my number of ten, and I have not suffered those I had to lay long idle, though it has been a misfortune that I could never yet employ more than four or five of them at a time by reason of sickness which (notwithstanding the temperatures of this season here) has been heavy among them and frequently got hold of half of them at once, which has impeded my intended work very much; and (what is yet worse) the common necessity of a doctor's assistance under such sickness will draw after it a bill (I fear) too long to relish well. The place nevertheless was never more healthy than at present and if this, which they call a seasoning now, may happily preserve them when the heats come hereafter it will be well enough still. Notwithstanding these impediments we have since the latter end of November cleared five acres and very near fenced it in in order to plant it in March, against which time if the men can keep tolerable health I hope to clear as much more at least. Forgive me if I acquaint you that I think the person who supplied their working tools has not dealt well with you, for some of the felling axes fly like glass and break out in pieces as thick as a half-crown and the crosscut saw is fit for children only and of so small a size that they can hardly cut a large grown tree through with it, which is a great baulk to them and it will behove me to remedy it by buying better where I can. Your stationer has thought fit to put off some of his bad ware also, for the foolscap is so faulty that it is a hard matter to find a sheet in a whole quire free from sinking in many parts of it and the marble-covered copying books are all of the same sort insomuch that some pages of my own writing are scarce legible (which perhaps you will smile at and find another reason for) but all the other particulars are unexceptionable. If you will send us a ream of right good foolscap and also a ream of good post such as we had but have used a great deal of it where good foolscap would have answered the purpose, it will be put I hope to good use. As I have it truly at heart to do what is pleasing and agreeable to those who have commissioned me to act in the station they have been pleased to appoint me, it would be a great satisfaction to me to know wherein I have been defective or (I rather fear) redundant; upon your notice I shall henceforward proceed accordingly.

After committing to writing whatever I thought worth observing here I am now preparing to look further into the province, first towards the south and then into the other settlements on my return, of all which a regular account shall be transmitted in due course. But whilst I am meditating on this I am under some apprehensions lest the forces expected from Gibraltar under Col. Cockran should arrive, whom I would wish to be in any kind serviceable to if I may. The melancholy news which Capt. Ayres brings (who arrived at Charleston lately in six weeks from England) of the queen's death is surprising: there are some among us who believe that it will delay divers matters relating to these parts and particularly that our captain-general will be restrained from using that expedition which is so peculiar to him, but such penetration I am not yet arrived to. *Signed*. P.S. Enclosed receipt is a second of the like tenour with what Mr. Hopton wrote me he before sent you from Capt. Newton, acknowledging his having a packet for the Trustees of that date from Mr. Causton and me. The two enclosed letters must take their chance whether the persons to whom they are addressed are in England yet or not.  $1\frac{1}{2}$  pp. [C.O. 5, 640, fos. 47-48d.]

29

January 19.  
Savannah.

Same to Trustees for Georgia, enclosing duplicates of letters of 26 October, 2 November and 20-21 December. For a full account of my transactions I refer you to my journal herewith sent. In the same packet you have a list of the inhabitants of this town as they stand at present distinguished as freeholders or inmates with their families and servants. What improvements made on



those lots or how neglected shall be sent you as soon as completed. In my next I shall hope to give an account of some other settlements, and with as much dispatch as the nature of things will bear and I am capable of go through the several branches of those instructions I received. But the distracted state of this town which I found at my first coming (and which time only can wholly cure with the help of such wholesome rules as shall be judged farther necessary by our constituents) would not hitherto admit of my going far aside. For I never have thought myself better employed than in endeavouring to allay those heats grown so violent betwixt neighbours and doing my best to quell that cursed spirit of faction and party lately sprung up among them from the seeds of sedition sown by a very few whom no power or government can please but such as they themselves are at the head of and whose great aim has been to become popular by first raising jealousies in weak minds of such innovations on their liberties and such arbitrary government as was never before thought of, and then cajoling them into an opinion that if they would stand firm together in opposing this imaginary tyranny they would not doubt but to carry their point and become a free people. From hence first arose that open opposition given to the magistrates in the execution of their office whom they treated with scorn and contempt. I am very glad to say I have been now long enough here to see the proper authority of the court maintained and the due course of justice take place again, from whence we may reasonably expect a farther reformation in time and that deluded people will recover their senses.

I confess it was matter of concern to me for a while to observe how many people have deserted this place within some months past, but on due consideration since I can think of it with content when I reflect on the characters of most of them whom I am confident no country will be the better for, many of them runaways from hence, idle and of no use to the community, nevertheless great exclaimers against the public proceedings here where they helped to raise an outcry whilst they stayed; and I am fully convinced it would be happy for the colony if it was entirely weeded of all such mischievous plants got into it. To which probably it may be objected that this is not a time to thin the people when dangers seem to threaten, which would hold true if such men could be depended on. But who can safely put arms into people's hands that do not think they have anything worth defending? Some few indeed are gone off, not to be ranked among these; but even in them the greatest loss sustained is in so many sensible men. For otherwise they were not prone to cultivate land but mostly carpenters, smiths or suchlike, who found their work began not to carry the same wages as formerly or could not so readily find employment at their trades, and therefore went (as most tradesmen will) where they thought they could earn more; and the same reason, if it offers any time hereafter, very probably will bring them back again. There are yet another class who seem determined to go off (as I have noted in my journal of 6th inst.) and are such as I could more incline to regret the loss of, three of them having improved their lots by building houses, cultivating their land, etc., industrious men who live reputably and would be a credit to the place were it not that their turbulent tempers outweigh the other part of their characters; for they are among the principal of the disaffected, never satisfied but always caballing, forming an opposition to the magistrates' ordinary proceedings, and continually declaiming against all future improvements in a place where (they say) they are oppressed with so many badges of slavery; and when they have done all they can their families will be never the better for it. N.B. It is remarkable that these men have neither of them a son and therefore it is the less to be wondered at that they dwell upon that subject which (as I have observed) has been very industriously propagated of late; supposing nevertheless they obtained a full assurance that their families after them would enjoy the fruits of their labour though no sons to

inherit, yet I am firmly persuaded in myself from a careful observation I have made that nothing would make those particular men easy who too plainly discover a dislike to the whole constitution. What else can be judged of them when I think it may be proved that in their consultations they have been forming schemes to subvert it? and some of them when upon juries have not stuck to declare among their brethren that they never could deem themselves a free people whilst any such thing as a charge, reciting the evidence and given from the bench, was to be heeded in their giving a verdict, but the way to come at justice rightly would be to determine the point in hand by a majority of votes of the freeholders present in open court – to such a height of madness and folly are they arrived under the tuition of two or three doughty instructors.

I took notice in my last of a different set of men in this town who live mostly here, being landholders at some miles distance. These make great professions of all goodwill to the colony and ready obedience to the civil power, but complain of their losses in improving land, the precariousness of their tenures etc. as I have before observed in that letter; and from thence (as I conceive) first sprung that indifference among the freeholders of the town about cultivation of land which has been of bad consequence. The chief of these are Mr. Robert Williams, settler at Grantham, Mr. Patrick Mackay at Joseph Town, Mr. Andrew Grant at Ogychee, the two brethren Hugh and William Sterling at Ogychee, Patrick Tailfer at River Ness, all Scotsmen except Williams who has been truly a bold pusher on of his work, at great expence in it, and I doubt it has not answered; nevertheless he is going on again this year with larger improvements, resolving not to be balked and hoping for better encouragement, though sadly complaining. Patrick Mackay shows no inclination at all (as I apprehend) to proceed on his settlement at Joseph Town which after two or three years working on he seems to have wholly given up: he has a plantation on the Carolina side of the river on the other side of Hutchinson's Island opposite to Savannah, where he has a considerable number of negroes and drives on with great application. At the same time having no convenient house upon it, he has built a small one on a town lot here which he holds in his son's name, where he lives, being commodious for him near his plantation, and by such a situation and way of living has an opportunity among the company he keeps of inculcating into others the disadvantages they labour under in comparison of the advantages found by a different tenure and allowance of negroes. Andrew Grant (influenced it is to be supposed by such doctrines) has quitted his land at Ogychee and brought away all his servants, though he has no employment for them in town where he lives. The two brothers Sterling have done the same and their servants lie on their hands here in town where they rent a house and bake bread or turn their hands to what else they can rather than work further on their lands; which indeed I am most surprised at because when I was last here there were none in the whole province so celebrated for the large quantity of land they had cleared and planted. Patrick Tailfer has never yet thought his land worth regarding but, making what profit he could of his servants by letting them out to hire and practising surgery and physic in town, has made money at an easier rate and few have done it so fast. In truth men of that profession who have shown themselves skilful have always found a plentiful harvest their own way. These men joining with others who frequently visit these parts either from Carolina or elsewhere out of curiosity and a few more who keep stores, giving themselves up entirely to that without any improvement on their lots, being generally of a superior rank to the ordinary freeholders, make an appearance in dress and their course of life very different from them. And at their usual hours of rendezvous in the most public parts of the town, a stranger would imagine it a place of trade and the habitation of so many merchants, when, alas, their whole traffic is for news or to catch up any desirable provisions imported for sale when



a boat happens to bring such, which must be purchased with ready money if they can find it.

The inferences to be drawn from hence are so obvious that it would be a piece of arrogance in me to point them out. But upon the whole, till the colony can attain to the state of exporting something valuable of its own produce, at leastwise till they can raise sufficient maintenance for themselves, it is impossible (as I humbly conceive) that it can increase to any perfection but must be a place of want and continue a burden on the Trust which has so long supported them. Pardon me if my zeal carries me further than becomes me. If it is from the land that this matter so desirable is to be acquired, what method can be taken to make people fond of improving it and, awaking out of this stupidity, to go heartily about it? Dare I venture to offer any poor conjectures of my own to such an august body of gentlemen whose judgment is far beyond any need of such information? The late additional bounty which you have ordered for encouragement of poor workingmen to improve their land was a thought worthy of the authors and it is to be hoped that it will find some good effect. It is undoubtedly from that sort of people it can be hoped any good progress can be made in these small freehold lots, and as they are entitled to your bounty by their industry so on the other hand it is my opinion that no credit of any kind ought to be given in the stores whenever they cease to show it by their labour nor any relief allowed except to such as are truly helpless and indigent through providence, such as sick people, poor widows and orphans. Where any person shows an hearty desire and endeavour to improve land whether it be on greater or less quantities but wants a little strength to carry it on, suppose such a man were allowed a servant, two or three, in proportion to his need, upon credit for a year or two to be repaid at such time and in such manner as might seem meet, this I verily think would give great encouragement. There is yet another thing which I almost fear to name lest I should offend in touching upon any matter which seems at present a part of the constitution, and that is in relation to tail male. But as it proceeds from an honest intention I shall the sooner hope for pardon. The foundation which that was built upon I presume might be for the better peopling of the colony by disallowing any alienation etc., but in case a man dies without a male heir if his estate should go to his heirs general and such were under obligations either to occupy and cultivate or forfeit it within such a limited time as shall be thought good and under the same restrictions from alienation still, surely this would double the diligence of those who, having no son to leave it to, go heavily on with what they have no further interest in than their own lives; this would effectually put an end to all the clamour and discontent which is of late become so general here and which has been so industriously propagated (I have said by whom). But I should fail in speaking truth if I did not say that I frequently heard the same objections in England, and in these parts of the world I find it is everywhere talked of to the disadvantage of the place, though I hope I shall find belief when I solemnly assure I never gave countenance to it in any conversation I have had here, whatever I have thought. And as for negroes (which some of our wise reformers have in their heads too) as I truly think the consequence of admitting them would be very pernicious so I never heard it offered but I showed an utter aversion to such projects. Our neighbours at Charleston, I hear, have their bellyful of them, insomuch that they have lately published an order to disgorge great part out of the town where they begin to be apprehensive of their numbers and will allow of a stated number only to inhabit among them: what safety then the planters in the country can warrant to themselves, who can tell?

The next improvement to be taken notice of is concerning the making of silk and what progress that has taken, which I have done what I could to inform myself in; and

sorry I am to see so desirable a work nipped as it were in the bud and languishing for want of necessary support – I mean mulberry leaves. Upon enquiring into many particulars relating to this affair, of the family who have the care of it and are said to understand it very well, sober, industrious people whose names are Camouche and who came over with Mr. Amity's, I got the following information, vizt. that the machines which Mr. Amity's had, and three coppers and a box full of glass utensils for winding of silk, were never brought from Charleston from their first landing almost five years since, but by Mr. Amity's allowance were left with his brother at Carolina who has since disposed of them as he saw fit, and they are lost to the colony. But this family has since got another machine made according to their own direction which they very well know how to give, and it works very well. They have at present 5 oz. of seeds (or eggs) which according to the common way of computation would produce worms sufficient to wind off 30 lbs. of the finest silk, provided they could find leaves sufficient to feed them. But purely for want of that the last year the worms were starved and died, so that the whole quantity of fine silk made was only about 4 lbs. How highly such a work deserves attention and all proper aid is as evident as it is that with such aid it cannot fail of success: it is so plain that in truth I see nothing wanting at present but mulberry leaves, the coming at which I am assured by the family beforementioned would be sooner from seeds than wild plants, which upon their removal unless into well-improved ground are apt to pine away, but a seedling plant (which at seven or eight months from a seed probably will shoot three foot high) when removed into a tolerable soil seldom fails to thrive apace.

This leads me to the garden, where I wrote you in my last there was no great appearance of much care taken, the late gardener Peirce being run away and Mr. Anderson (who has the inspection) not much heeding it until he received your further pleasure thereupon in answer to what he wrote. But of late I observe a great alteration: one Fitzwalter (a freeholder), who was formerly gardener under Amytis with whom he could not agree and therefore left it and has lived a rambling life since, has been now employed there about three or four weeks with a few hands, and having lately some additional help, he has reduced it into a decent order again, I presume by Mr. Anderson's directions who comes sometimes to visit it from his land that he is about cultivating two or three miles off. Upon my acquainting him that you expected from me an account of the number and kind of trees in the garden which therefore I wished he would give me, he brought the account here enclosed to me, which I make no doubt but is right as to the numbers, and the observations made by him thereon I know to be just and true.

Vines unquestionably may be brought to great perfection which is an improvement of valuable consideration and easily attained, as found by certain experience. Some Jews brought me a paper more than six weeks since, well-attested, relating to it, desiring me to transmit it to you; but I resolved first to satisfy myself further in it, as I did on 6 December (refer to journal) and therefore could not refuse to gratify them in it now. Wherefore I have herewith sent it. You have also herewith lists of the several people imported by three ships commanded by Captains Thomson, Hewett and Daubuz, since my being here; likewise a list from Mr. Bradley of the cattle and horses which were under his care belonging to the Trust.

I ought (in pursuance of my instructions) not to let this letter go without giving some account of your surveyor Jones, whose character is of so mixed a nature that it is not easy to hit it right in all its parts. For it were doing him wrong not to allow him some degrees of worth on several occasions and (as I am told) a competent share of knowledge in geometry. Nevertheless it would be injustice to the Trust not to say that he has certainly been negligent in his duty of running out lands, which has occasioned



many to complain who have thereby been under disappointments and sometimes losses in mistaking land and cultivating what afterwards they found not to be their own, for which they could find no recompense. To speak my thoughts freely of him, I take him to be an indolent man as well in relation to public work as to private economy, which is sufficiently visible from the manner his family lives in and the very mean appearance he makes in his garb. I have never yet seen any of his plans and the Trust (I fear) not many. Here is a person come among some of those lately imported, one Mr. Amery, who it is said understands that business well and might therefore opportunely supply his place. Nevertheless, if my opinion is of any weight, I should think it not advisable immediately to remove Jones, for this reason: whatever has yet been done he is master of, and out of that heap probably some good may with care be collected, but in case he found himself at once dismissed I know not how far a vindictive temper might prompt him to be wicked enough to destroy whatever he has (such a thing I overheard whispered), and that must certainly produce the utmost confusion to begin all again. Besides in some discourse I had with Mr. Amery I found he should not think it worth his pains to work on that affair at so low a rate as he understood Jones was to be allowed. When we are so happy to see one here again who has power and capacity to rectify this defect, I make no doubt but it will be done in the most prudential manner.

As to religious matters which also I should have something to say to, it ought to be in proportion to the increase of it, which I fear has been very little especially of late when disputes and strife so much abounded and charity towards neighbours seemed utterly banished. The affair of Mr. Wesley will be laid so fully before you from both sides of the question that I make no doubt but you will easily form a right judgment upon the whole: though I am no ways attached to either side yet it would be impertinent now for me to meddle in it any further. We are at present indeed like sheep without a shepherd, and my hearty wish is that, whomsoever you shall appoint minister of the church here, he may answer your good purpose by doing his duty as a diligent pastor, and by an inoffensive, free conversation among his neighbours (without troubling himself about secular affairs more than needful) endear himself to those people, which I conceive would conduce more to make good Christians in practice as well as belief than the best doctrine reinforced by the strongest arguments without some small compliance with the ordinary course of the world. I send an account of stores of ammunition and other accoutrements of war. *Signed*, P.S. 20 January. This evening an express arrived from Mr. Horton at Frederica with letters to Mr. Causton and me dated 14th inst. importing that a Spanish launch arrived at his house at Jekyll from Augustine on the 11th with an officer and 19 men who went back the 13th, and the officer delivered three letters, one for Mr. Causton, one for Capt. Gascoigne and the other for himself, which letters he now sent to Mr. Causton, wrote all in Spanish, desiring him to get that which was for himself translated and sent him back, to which letters he referred me. And on my going to Mr. Causton's (where Capt. Gascoigne was at the same time) I found by the translation made by one of our Jews the contents were to complain of an insult made by some Indians in amity with us upon some Indians of their's, several of whom they had surprised and killed and carried off their wives prisoners. Mr. Horton adds that the Spanish officer told him the governor desired to live in friendship with us and to have a good correspondence. Of all which I make no doubt but Mr. Causton writes you fully. 8 small pp. [*C.O.* 5, 640, *fos.* 43-46d.]

30

Protest of Arthur Middleton, James Kinlock and Joseph Wragg, three of H.M.'s council, against the South Carolina bill for stamping, emitting and making current 210,000*l.* in paper bills of credit, 29 May 1736. The Act is

[January 19.]

unnecessary, prejudicial to many interests, contrary to the Act of 6 Ann., and contrary to the 21st article of H.M.'s instructions. 3 pp. *Endorsed*, Recd. from Mr. Wood. Recd., Read 19 January 1737/8. [C.O. 5, 366, fos. 40-41d.]

## 31

Observations on an Act passed in Carolina for stamping, emitting and making current the sum of 210,000*l.* in paper bills of credit, etc. (1) It appears by the depositions annexed to the report of the committee of the house of assembly of South Carolina that from 1703 to 1714 a five shilling bill in the said paper bills of credit currently passed in exchange for eight ryals, and that the current price of silver was 7*s.* 6*d.* in the paper bills of credit for one ounce of silver; whereas by this Act silver is to be taken for interest money due on the bills issued and lent at the rate of 1*l.* 17*s.* 6*d.* per ounce and gold at 27*l.* per ounce. (2) The Act of 6 Ann. declares that no Seville, Pillar or Mexico piece-of-eight, though of full weight of 17½ dwt., shall be accounted or taken in any of the colonies at or above the rate of 6*s.* per piece current money, which is at the rate of 6*s.* 10¾*d.* per ounce; whereas by this Act silver is to be taken at 1*l.* 17*s.* 6*d.* an ounce, which is 1*l.* 12*s.* 9¾*d.* per piece, current money of Carolina. (3) By the said Act of 6 Ann. no persons are compelled to receive any of the said specie of foreign silver coins at the respective rates in the proclamation mentioned; whereas the bills of credit issued are declared by this Act to be to all intents and purposes the lawful current money of South Carolina, and as such shall be taken, paid and received in all payments whatsoever, any law, statute, usage or custom to the contrary notwithstanding, though even declared in the Act itself that the 210,000*l.* to be issued in paper bills of credit is but about equal to 30,000*l.* sterling money of Great Britain and that silver for interest money of such bills shall be taken at 1*l.* 17*s.* 6*d.* per ounce and gold at 27*l.* per ounce, when the rates of silver in pieces-of-eight or bars is but 5*s.* 3½*d.* an ounce and gold but 3*l.* 18*s.* an ounce in London. (4) The taking measures by the assembly of any one of the colonies to draw silver from any other of the colonies and the setting any other rates on foreign silver coin than by the Act of 6 Ann. are set is acting directly contrary to the said Act. Although the Act of South Carolina is not to be in force until H.M.'s pleasure be known and although there is a proviso in 6 Ann. authorizing H.M. to make further regulation of the rates of foreign silver coins in the colonies, it is conceived the governor had no power by any instruction from the crown to give his assent to any law in which Spanish or English silver coins are taken at the rate of 1*l.* 17*s.* 6*d.* current money per ounce and gold at 27*l.* per ounce, and that 10 per cent. shall be discounted on all duties inward paid in silver and gold at the rates aforesaid. On the contrary, it is conceived that the governor of Carolina is instructed, as other governors are instructed, to take care that the Act of 6 Ann. be duly observed and not permit any Act to pass whereby the value of the current money shall be altered without H.M.s particular leave. The proviso in the Act of 6 Ann. will not in any sense warrant, without particular leave from the crown, even the enacting of two such clauses as the 8th and 9th of this Act passed in Carolina, for the Act of 6 Ann. declared that nothing in the before recited proclamation or in the Act was to be construed to compel any person to receive foreign silver coins at the rates the proclamation mentioned. (5) If there were not many strongest objections against paper bills of credit which do not carry an assurance of money and which all persons are obliged to take, the committee have furnished a very material one by observing in their report that in the Indian war, when the province was generally looked on as lost, men gave any price for bills of exchange of the produce of the country, which observation is confirmed by a writer of a pamphlet in behalf of the paper currency printed in Carolina in 1736. Such paper bills of credit will never answer a debt contracted in this kingdom or any other country, and



to answer such debt the person possessed of such bills must give such price for the product or commodities of such plantation or for gold or silver or a bill of exchange payable in Great Britain as the owner of such product, commodity, gold or silver or the drawer of such bills of exchange shall require, which is equal to such bills bearing a public discount, or else he cannot make a return to answer the debt owing by him to any person with whom he has dealings in this kingdom. Consequently the increasing the quantity of such bills of credit in any of the plantations will necessarily raise the product of such plantation, the rates of gold and silver, and the prices of bills of exchange payable in this kingdom; or in other words diminish the value of such bills of credit to the general loss. (6) The rate of exchange before 1704 was at par, only 100*l.* money in Carolina was given for 100*l.* bill of exchange; from 1704 to 1714 sometimes given in Carolina more than 100*l.* currency of that province for 100*l.* sterling to be paid in this kingdom, but not at any one point of time more than 133*l.* 6*s.* 8*d.*; whereas since 1714 the exchange has been greatly rising inasmuch that at present there is given in the currency of Carolina 750*l.* or more for 100*l.* bill of exchange payable in Great Britain. (7) Rice was before 1704 at 10*s.* or thereabouts a hundred in Carolina and till 1714 not higher than 15*s.* or thereabouts; whereas since that time it has been greatly rising, inasmuch that at this time it is at four pounds a hundred to be paid for in the currency of that province. (8) The framers of the report have very greatly mistaken Mr. Locke, and shamefully made use of his name to serve purposes which through the whole of his piece on money etc. he strongly declares himself and is much in judgment against. 7 *pp.* *Endorsed*, Recd. from Mr. Wood. Recd., Read 19 January 1737/8. [C.O. 5, 366, *fos.* 34-37*d.*]

## 32

January 20.  
Whitehall.

Council of Trade and Plantations to Committee of Privy Council. Pursuant to your order of 23 December last we have considered the petition of Sebastian Zouberbuhler [See *Cal. S.P. Col.*, 1737, No. 6511]

We do not find that he has been at any extraordinary charges in the introduction of the fifty families already arrived in South Carolina, part of the 600 persons proposed to settle there, or that he is obliged to be at the expense of carrying over the remainder, and therefore cannot recommend to H.M. that he should be put in possession of the 48,000 acres free of all fees etc. or that H.M. should grant him 12,000 acres more in lieu. But as to the prolongation of time desired, we do not apprehend it can be of any ill consequence provided the settlement be completed within two years from October 1738. *Entry. Signatories*, Monson, T. Pelham, James Brudenell, R. Plumer. 4 *pp.* [C.O. 5, 401, *pp.* 245-248; draft in C.O. 5, 381, *fos.* 258-259*d.*]

## 33

January 21.  
Savannah.

Thomas Causton to Harman Verelst, transmitting copies of sundry day-books from 6 February 1735/6 to 22 November 1736; also other copies to the end of October 1737; also duplicates of receipts for cash

paid to 31 December 1737; also copies of such accounts current as have been yet examined 6 February 1735/6 to 22 November 1736; accounts for that time are now all copied and wait only for examination. Please advise of any copies of day books wanting preceding the last account now sent. You will perceive by Capt. Hewit's receipt that himself or owners had received of some of his passengers part of their passage money: I have therefore enclosed you their notes. John Alther's note for 2*l.* 7*s.* 6*d.* is at present mislaid. *Signed*. P.S. Books of account current abovementioned are lettered A, B and C. I have also sent pursuant to the Trustees' orders a cask of acorns marked GC and are the product of the evergreen oak which is here called the water oak. There is another sort of the evergreen oak which we call the live oak, but I could not get any of that kind of

mast this year. In a lesser cask I have sent some of the earth this kind of oak flourishes very well in and is adjoining to the saltwaters. 1 p. *Seal*, on dorse. [C.O. 5, 640, fo. 49, 49d.]

34

January 24.  
Barbados.

President James Dottin to Duke of Newcastle. The vessel by which I transmitted the public papers with my letter of 20 August last being safely arrived, I will not now trouble you with duplicates of them, which indeed are not yet delivered to me, the officer complaining of it as a hardship on him to furnish these papers when the assembly has resolved they will not provide for what has already and shall hereafter become due for these public services; so that I am inclined to ease him as much as I can. Copies of several Acts lately passed are herewith transmitted. The Levy Act was made purposely to comply with the demands made on the treasury of orders tendered for payment on some discounts and which it was more advantageous for the owners of them to abate than wait till they came in course of payment, which would not have been in many years; and had not this method been established, those creditors of the public who could not wait for the payment of their orders till they came regularly to be discharged would have parted with them at larger abatements to private persons, to whose advantage that large sum would have fallen that by this method will sink in the public, with the consent and approbation of all its creditors. So that I hope this expedient will meet with your approbation, especially as no creditor of the public will give opposition thereto; for should the law be repealed after one year's collection of the tax and application to the uses, it will occasion the greatest confusion and be a means of the assembly's raising no more levies, whereby the public debts will greatly increase and its credit be entirely destroyed. To prevent which I gave my assent to that act which, if suffered to continue in force for the time it is made, will answer the design of freeing the public entirely from debt, for the doing whereof I think no better method could have been taken as the inhabitants are not able to bear a larger tax; and it will be very difficult even to get this paid. What I mentioned to you in my last letter with relation to the expense of the grand sessions, I find on examination was provided for by a law passed 15 August 1719 on which H.M.'s pleasure has not been yet declared; and as I believe the former copy miscarried I have sent another. And as no person would entertain the last court of grand sessions that was holden here (which put the justices, jurors and other persons who from all parts of the country were obliged to attend it to very great inconveniences and makes it vastly difficult to get a chief justice to preside at these courts), I flatter myself you will try to get this act confirmed or procure such other methods to be established so that the casual receiver who is now and has been for some time in cash and receives large fines and forfeitures from these courts may apply what is necessary to defray the future expenses thereof when he is in cash, which will be a great ease to the attendants of the court and occasion the commission for the holding it to be more readily accepted of. *Signed*. 2½ pp. [C.O. 28, 45, fols. 400-401d.]

35

January 24.  
Barbados.

Same to Council of Trade and Plantations. [*In substance same as No. 34*] *Signed*. 2 pp. *Endorsed*, Recd. 28 March, Read 21 April 1738. [C.O. 28, 25, fols. 62-63d.]

36

January 25.  
Whitehall.

Duke of Newcastle to Council of Trade and Plantations directing that an instruction be prepared for Alured Popple, governor of Bermuda. *Signed*. *Endorsed*, Recd., Read 26 January 1737/8. [C.O. 37, 13, fols. 25, 25d, 28, 28d.]



**37** Council of Trade and Plantations to the King. Neither we nor Mr. Fane have any objection against an Act passed in Virginia in September 1736 to dock the entail of certain lands whereof Lewis Burwell is seised. *Entry. Signatories*, Monson, T. Pelham, M. Bladen, R. Plumer. 1 p. [C.O. 5, 1366, p. 288.]

**38** Same to Duke of Newcastle transmitting draft commission for Lewis Morris to be governor of New Jersey together with representation thereon. *Entry. Signatories*, Monson, T. Pelham, M. Bladen, Edward Ashe, R. Plumer. 1 p. *Enclosed*,

38. i. Same to King, 25 January 1737/8. The accompanying draft is in the usual form. *Entry. Signatories*, as covering letter. 1 p.

38. ii. Draft commission for Lewis Morris to be governor of New Jersey. *Entry*. 5 pp. [C.O. 5, 996, pp. 400-407<sup>1</sup>; draft in C.O. 5, 197, fols. 84-93d.]

**39** Minutes of Common Council of Georgia. The accountant acquainted the council that 688*l.* 8*s.* had been drawn on the Bank for payment of provisions; that a draft had been made on the Bank 14 December 1737 for 500*l.* to Ald. Heathcote for payment of sola bills; and that 500*l.* in sola bills had been sent to Georgia. Certified accounts were brought for payment as follows: for 43*l.* 16*s.* 4*d.* to David Provost for provisions and necessities, dated 15 July 1737; for 226*l.* 4*s.* 9*d.* to Thomas Ware for provisions, dated 10 August 1737; for 293*l.* 3*s.* 11*d.* to William Van Der Spiegel for provisions and necessities, dated 29 September 1737; for 138*l.* 12*s.* 11*d.* to Benjamin Appelbe, dated 28 September 1737; for 62*l.* 17*s.* 1*d.* to James Searle for pettiagua hire, dated 20 September 1737; for 166*l.* 3*s.* 11*d.* to Samuel Montaigut & Co. for provisions and necessities, dated 4 October 1737; for 425*l.* 0*s.* 4*d.* to Capt. James Mackpherson for payment of rangers at Fort Argyll, dated 2 October 1737; for 221*l.* 10*s.* 6*d.* to Capt. Aeneas Mackintosh for pay and provisions at Fort Prince George and expenses of Indians; for 384*l.* 7*s.* 10*d.* to Robert Ellis for provisions and necessities, dated 17 October 1737. Resolved, that (advice being come that since the dates of the foregoing certificates 1650*l.* in sola bills are arrived in Georgia for which money is appropriated to answer on their return) the aforesaid accounts be returned to Georgia for payment there. Ordered that public notice be given in Georgia that no certified account for provisions or necessities sold and delivered in Georgia will be paid in England, that their storekeepers have received orders to defray all expenses in sola bills, and that no other payments will be made but by sola bills. The accountant acquainted the court that a draft had been made on the Bank for 151*l.* 11*th* inst. to Peregrine Fury for payment of sola bills; and that 250*l.* had been drawn for on the Bank 11*th* inst. for provisions. Resolved that no more sola bills be sent to Georgia till the Trustees are enabled by a new supply to answer them. Read a report from the committee of accounts that the balance of the account for 9 June 1736 to 9 June 1737 was 3519*l.* 13*s.* 11*d.* Resolved that any three of the council wait on the Lord Chancellor and Master of the Rolls with the said account. Ordered that as soon as the annual account is presented 150 copies of it be printed. 5 pp. [C.O. 5, 690, pp. 123-127.]

**40** Memorial of Lieut.-Governor David Dunbar to Council of Trade and Plantations, replying to letter of 12 December 1735. Both in America and here I have been told that the Massachusetts Act for a bounty upon hemp and flax

<sup>1</sup>Pagination of C.O. 5, 996 is faulty: see pp. 300-307.

was but for three years: one of them was elapsed before people could supply themselves with hempseed, the second year I heard the bounty paid by that province amounted to more than 7000/. New England currency, and last year I have heard it was above 13,000/. But I cannot much depend upon my information because I was represented by Governor Belcher to the people there as a spy upon their actions so that they seemed shy of answering any questions that related to their trade or manufactures. But as all public accounts are or ought to be lodged with the auditor of the Plantations, you can from thence receive the best information. When I came from America in May last it was expected that at the next session of the general court of Massachusetts an Act would be made for continuing the bounty some time longer, but it has not been in my way to know whether they have passed such an Act. But I know that the people there are so tenacious of their old customs that they won't be persuaded against dew rotting their hemp and flax although I published in print the directions I carried over from you for the management of hemp in all shapes. They gave a bounty for making sailcloth for some time but I have heard one Mr. Powel who was the undertaker complain that justice was not done him in the payment of that bounty. Of late years some Irish families have made sailcloth in great perfection near Boston and in incredible quantities for the number of hands employed. The chief of them would undertake for any quantities and no doubt they will very soon be able to supply themselves with all they may want of that sort. As for linen it is made in great perfection: the enclosed copies of letters relating to it and other manufactures and practices in New England I lay before you as part of my answer to your letter. The inhabitants, seeing what a benefit a small number of poor Irish families have made far up in the country by spinning and weaving linen of all sorts, have hired servants from thence to instruct their young people and have sent children to schools to learn to spin both linen and woollen, and I am convinced that in a little time they will make enough for their own consumption at least. They have lands for nothing, they pay no duties even upon goods exported with a drawback from England, they pay very little taxes but to support disputes against the crown of which there is now a most flagrant instance coming before you by a sum of 2000/. sterling raised by tax very lately to support an opposition to the settlement of the boundary between Massachusetts and New Hampshire.

New England is a very growing country and deserves some attention at home. The militia of Massachusetts only are not fewer than 40,000 men who generally have a slender notion of a dependency upon England, which is not very surprising when their governor publicly censures H.M.'s conduct and his ministers and calls English Acts of Parliament putting any restraint upon New England arbitrary and iniquitous Acts. I have made many representations upon all these affairs to your board and have acquainted you what woollen cloths, camlets, and stuffs I have seen made in that country. I once offered my opinion that if a gentleman who was a good judge of trade was added to your board and to be sent abroad from Newfoundland to Nova Scotia and to all the several English governments upon the continent to stay at each as he judged proper to make enquiries and observations upon the situation, soil and produce of each colony and to be joined with the several governors in power during his stay to enable him to make such enquiries, you would in two or three years have so exact an account and state of H.M.'s dominions in America as you might with certainty depend upon and be well worth the expense of it. English America is capable of great improvements and of being as useful to England as the northern countries and without much additional expense. The French are encroaching upon Nova Scotia and other parts, they are working us out of the fishery, which may be in great part prevented and their situation made uneasy to them by the settlement of Nova Scotia. Oppression and ill treatment



have broken my spirits without being able to get any redress. *Signed. 4 pp. Endorsed, Recd., Read 25 January 1737/8. Enclosed,*

40. i. William Bollon to Lieut.-Governor Dunbar, Boston, 21 February 1735/6, requesting that the iron manufacture may be recommended to the Council of Trade and Plantations as proper for encouragement. *Copy. 1 p.*

40. ii. Lieut.-Governor Dunbar to William Bollon, Portsmouth, New Hampshire, 27 February 1735/6, promising to use his interest as requested, but advising that cast iron should be made, not forged iron, as this will create less jealousy in England. I think the quantity of iron consumed in England is 36-38,000 tons yearly whereof 10 or 12,000 tons is made in the kingdom: they could make the whole malleable if they had cast metal. *Copy. 1½ pp.*

40. iii. Same to Captain Thomlinson, Portsmouth, New Hampshire, 4 March 1735/6. Labour is so excessively dear that iron cannot be manufactured without a bounty. New England iron is of very good quality; axes and hatchets in particular are better than those from England. The Act against French molasses and rum is little regarded in some places, e.g. Rhode Island. Another practice of Rhode Island is the issue of great quantities of paper money. To encourage the production of hemp, instructors are needed and the renewal of the bounty formerly given. *Copy. 7½ pp. [C.O. 5, 880, fols. 82-88d.]*

## 41

January 28.  
Boston.

Governor Jonathan Belcher to Council of Trade and Plantations. Since previous letter of 27 December, the assembly of this province has gone through what necessary business they had before them and I prorogued them 9th inst. as you will see by enclosed journal. A few days ago I received an express of the loss of Fort Dummer by fire which happened 15th inst. This was a small fortress about 130 miles from hence on the western frontiers of the province with an officer and 20 men which I have posted about a dozen miles lower than the fort stood; and I shall have the fort rebuilt when the season will conveniently admit of getting materials and workmen. In March last I sent you answers to the usual queries except that of the number of the militia. I now enclose a list of the regiments with the particular number of men in each, amounting in all to 25,031 men. This province labours under great difficulties for want of something to pass in lieu of money, silver and gold being as constantly exported to Great Britain as it comes in; and it is hardly possible for the people to subsist or any trade to be carried on without a medium of exchange or something to pass between man and man. In consideration of this matter the assembly passed the enclosed bill at their late session to which I could not give my assent because it militated with H.M.'s 16th instruction, nor is the bill sufficiently guarded to give a just value to the bills they proposed to emit. *But if in such a bill a clause were inserted of the nature of what I now enclose to you it would considerably reform all the bills now out as well as give value to what they would emit for the future.*<sup>1</sup> I would therefore propose to you that I might have H.M.'s royal order of leave for signing such a bill (including such a provision for drawing in all their outstanding bills according to their several periods) which is indeed the best projected to keep up the value of what bills may be emitted of any Act that has passed this legislature: and all persons trading hither from Great Britain will soon find the advantage of it. *Signed. 4 small pp. Endorsed, Recd. 9 June, Read 14 June 1738. Enclosed,*

41. i. Bill passed by legislature of Massachusetts in December 1737 for emission of 60,000*l.* of bills of credit redeemable by gold and silver. *Copy, certified by Simon*

<sup>1</sup>This sentence underlined in MS.

Frost, deputy secretary, 28 January 1737/8. 6½ pp. *Endorsed*, as covering letter.

41. ii. Draft of clauses which are necessary to be added to the foregoing. 11½ pp. *Endorsed*, (i) as covering letter. (ii) Mr. Fane's report: no objection in point of law.

41. iii. Order of General Court of Massachusetts that the bill for emission of 60,000*l.* of bills be printed and that the names of persons willing to subscribe for the said bills be received; together with another copy of the bill. *Printed*. 4½ pp. *Endorsed*, as covering letter.

41. iv. List of colonels of several regiments of Massachusetts with number of men in each regiment. Colonels: Winslow, Heath, Thaxter, Hatch, Burrill, Marston, Wainwright, Epes, Kent, Saltonstall, Phipps, Tyng, Flynt, Ward, Stoddard, Turner, Lothrop, Church, Almy, Brown, Pepperell, Mayhew, Chandler, J. Willard, S. Willard. Total of men, 25,031. 1 p. *Endorsed*, as covering letter. [C.O. 5, 880, fos. 281-300*d.*]

42 James Oglethorpe to Andrew Stone. I hope you will excuse my  
January 28. troubling you so often about the letter from his grace to Carolina relating to the ship with German passengers. Give me leave to state the fact. Some Germans who were on board a ship that put into Cowes, being on shore, refused to go on board again and complained to H.M. of ill treatment. H.M. ordered enquiry to be made into the matter that justice might be made to the Germans. The merchants very willingly agreed to do all the Germans desired, though the same put them to great expense, provided H.M. would recommend the reimbursing that expense to the governor of Carolina out of the fund appropriated for encouragement of such foreign Protestants as should come to Carolina. Pursuant to this, the ship sailed for Carolina and the Duke of Newcastle wrote a letter; but in that letter there are some words which the merchants (of whom Mr. Wragg is chief) are of opinion would enervate the whole. They therefore pray for another letter in which those words might be omitted, and they have not sent the former letter by reason that they think it will not answer the purpose. Give me leave to recommend this matter to you and, as I know that country, to assure you that there is money applicable to this very purpose vizt. for encouraging foreign Protestants and that that money is in H.M.'s disposition. And in my opinion the complying with Mr. Wragg's desire on this occasion as expressed in his letter which I enclosed to you in my former is very just and for H.M.'s service. I desire you will pardon me for so frequently teasing you, but as the merchants declare to me that if they do not succeed in this application it will be very hurtful to them, I think myself therefore in justice and honour bound to use my little interest for getting a thing done which will tend so much to the welfare of that colony by increasing it with foreign Protestants. *Signed*. 2½ small pp. [C.O. 5, 654, fos. 129-130*d.*]

43 Governor Edward Trelawny to Council of Trade and Plantations.  
January 31. Having received advice that Thomas Garbrand, one of the councillors  
Trelawn. of Jamaica, is dead, I recommend Samuel Dicker as a proper person to succeed him. He is a gentleman of a considerable fortune, was associated one of the judges of the grand court in February last, and according to the best information I can get a person in all respect fit for H.M.'s service in that station. *Signed*. 1 small p. *Endorsed*, Recd. 6 February, Read 7 February 1737/8. [C.O. 137, 22, fos. 159, 159*d.*, 163, 163*d.*]

44 Henry McCulloh to Thomas Hill. It is not in Governor Johnston's  
January [31.] power to keep the people of North Carolina to their duty unless their  
London. lordships favour him with their opinions on the matters in debate,



vizt. that such as hold patents from the Lords Proprietors by which they are obliged to pay, some 1*s.* sterling, others 2*s.* per 100 acres, tender their quitrents only upon the footing of proclamation money, which is 25 per cent. worse than sterling, and allege that by the governor's instructions he ought to receive it from them in that manner. Another difficulty that the governor meets with is that they will only pay their quitrents in commodity and others of them will not bring their quitrents to the precinct house but require the receiver-general to come to their respective dwellings. There is not the least colour of reason for this except in Albemarle County and even there they are certainly liable to pay their quitrents at the precinct house. It has also been a practice of long standing in the colony for people to box pine trees for turpentine and burn light wood for pitch and tar without taking out patents for the lands. The governor has been much censured for the preventing of this; it would be of use to him if their lordships would write to him that they approve his conduct therein and that they would also declare their opinion how far the people ought to be liable to quitrents, having made waste of the king's lands; and that their lordships would at the same time assure him that they will support him in the execution of his duty; and that if any persons in the colony do obstruct him in the same they may expect very little favour from the crown in the renewal of their patents provided any of them are vacated; that that affair is now before the attorney-general; and that he will speedily have directions how to proceed. A letter to this purpose would be of infinite use at present as the people are made to believe that all that he does is without any directions from their lordships and that they disapprove of his conduct. *Signed.* 1½ *pp.* *Endorsed,* Recd. 31 January, Read 2 February 1737/8. [C.O. 5, 295, *fos.* 100-101*d.*]

45 Memorial of Henry Popple, agent of Governor Fitzwilliam, to Council [January 31.] of Trade and Plantations. When the complaints against the governor were heard before the Board several papers were inadmissible as not being properly authenticated by the great seal of the Bahamas. The memorialist believes that Governor Fitzwilliam is now on the sea returning home and is convinced he will bring with him every necessary paper properly authenticated; he therefore hopes the Board will postpone reporting to H.M. until the governor's arrival. 1 *p.* *Endorsed,* Recd., Read January 1738. [C.O. 23, 4, *fos.* 32, 32*d.*, 35, 35*d.*]

46 Minutes of meeting of Trustees for Georgia. Received by Dr. Hales February 1. 2*l.* 2*s.* and 1*l.* 1*s.*, benefactions for missionaries in Georgia. ½ *p.* [C.O. Palace Court. 5, 687, *p.* 54.]

47 Petition of merchants and traders on behalf of themselves and all others [February 2.] trading from this kingdom to Jamaica, to Council of Trade and Plantations, seeking royal disapprobation of an Act passed in Jamaica on 19 February 1736/7 for raising sums of money for subsisting the eight independent companies, whereby a duty of 10*s.* per head is laid on each slave imported and 20*s.* per head on each slave exported. *Signed,*

for Liverpool: John Hardman, John Atherton, Richard Hampson, Thomas Cockshutt, James Bromfield, Thomas Parkes, Thomas Kendall, John Goodwin, Ro. Armitage, Foster Coore, Henry Trafford; Joseph Bird, Johnson Gildart, William Pole, Jonathan Martindale, Edward Litherland, Richard Richardson, Thomas Massey, William Hornby, Edward Cropper, Nathaniel Litherland, John Okill, Richard Cowband, George Norton mayor, Richard Gildart, Foster Cunliffe, Bryan Blundell, Thomas Seel jnr., Samuel Reid, James Clinton, Edward Trafford, Samuel Ogden, George Warrington,

Charles Roberts, John Brooks, Thomas Seel, James Ross, Samuel Crosbie, Samuel Seel, John Knight, James Percival, John Bostock, John Nicholas jnr., Joseph Davies, Henry Townsend, James Ansdell, Arthur Heywood, John Williamson;

for Bristol: John Price, Thomas Coster, Henry Combe, Abraham Elton, Jacob Elton, William Jefferis, Abell Grant, Isaac Hobhouse, James Laroche, Michael Beecher, William Davie, Henry Tonge, S. Shipway, John Teague, John Bartlett, John Combe, Henry Parker, Conrade Smith, John Crosse, John Brickdale, John Thompson, Walter Jenkins, P. Fisher, Richard Henvill, William Hart, Isaac Elton, J. Brickdale, James Day, Henry Dampier, William Lougher, Richard Farr, William Hare, Richard Lougher, Richard Farr jnr., Peter Hatton, William Gordon, John Tate, Joseph Hey, Nehemiah and William Champion, Richard Meyler, James Reed, Thomas Pennington, Samuel Gardner jnr., Ed. Day, James Hillhouse;

for London: Samuel Bonham, H. Lang, John Keith, George Arnold, Thomas Hebert, John Cathcart, S. Wragg, William Smith, Samuel Travers, Herman Zurhorst (?), Alexander Dundas, John Sutherland, Nathaniel Bapnett, Timothy Cockshull, Charles Pole. 1 large p. *Endorsed*, Recd. from Mr. Wood, 2 February, Read 23 February 1737/8. [C.O. 137, 22, fo. 171, 171d.]

48

February 6.  
Whitehall.

Order of Council, on report from Committee for Plantation Affairs, permitting Lord Baltimore to withdraw his two petitions against royal approval of the appointment of George Thomas as deputy governor of the three Lower Counties. *Copy*, certified by W. Sharpe. 2 pp. *Endorsed*, Recd. 28 March, Read 13 April 1738. [C.O. 5, 1269, fos. 11-12d.]

49

February 7.  
Whitehall.

William Wood to [Thomas Hill]. Having received letters yesterday from Bristol and this morning a letter from some gentlemen in the City trading to Carolina informing me that their correspondents had advised them that they apprehended it was intended by the assembly of that province to continue or prolong the Act imposing duties on negroes on importation payable by the importer which expires in August next, I am to beg in their behalf and at their request that you will move the lords that they will order it so that an intimation may be sent to the governor that he does not give his assent to such Act being continued, nor to any other Act which shall lay a duty on negroes payable by the importer, or in any other manner than he is permitted by H.M.'s instruction of 10 December 1731.

I am to desire at the same time that you will move their lordships to make their report on the Act for emitting 210,000*l.* paper bills of credit, the traders writing me that when the last ships came from Carolina 85*o*l. currency was given for 100*l.* bill of exchange payable in this kingdom, and that therefore they were under the greatest uneasiness till they knew what they had to depend upon, and till which there must be an entire stagnation of trade to that province, as to themselves and all other persons trading on their own accounts.

I am to beg that you will move the lords to take the Act passed in Jamaica imposing duties on negroes into consideration, an Act very well deserving their immediate consideration not only in respect to the duty imposed but in respect to other clauses in it, particularly the clause for empowering the officers of the independent companies to recruit in the island, a power not very consistent with the preamble of an Act passed at the same time wherein it is declared 'that nothing can more effectually contribute to the advancement of the interest of the island or its security against foreign invasion and insurrections of negroes than that there should be white people in proportion to slaves etc.' This is the preamble to an Act for obliging every owner to keep a white for every



30 negroes etc., or pay 3*l.* 5*s.* a quarter deficiency. And it is to be observed that the crown does not permit any of the officers whose regiments or companies are out of this kingdom to enlist men in the countries where they are; that Mr. Cunningham, before his departure, long solicited for leave to recruit the independent companies in Jamaica in America, but could not obtain it; and that the permitting the officers who have companies in the colonies to recruit in any part of them would be attended with great inconveniency. I am very much mistaken if the Act imposing duties on negroes and the Act for obliging the inhabitants etc. be not, both of them, passed in terms contrary to the instructions Mr. Cunningham carried over with him and which upon his death came into the hands of Mr. Gregory. *Signed*. P.S. Since the passing the Act for emitting 210,000*l.* paper bills of credit, the assembly have passed another Act for stamping and emitting 35,010*l.* in orders to be issued immediately. 2 small *pp.* *Endorsed*, Recd., Read 7 February 1737/8. [C.O. 5, 366, *fos.* 38-39*d.*]

## 50

February 8.  
Whitehall.

Council of Trade and Plantations to Governor Gabriel Johnston explaining delay in answering letters through necessity of consulting the law officers of the crown. We hope soon to have their opinion.

In the meantime we observe with much satisfaction the great diligence you have used in apprising us of the state of the province and we take this opportunity of assuring you that as long as you continue to follow your instructions you may always depend upon our encouragement and assistance. *Entry. Signatories*, Monson, M. Bladen, Edward Ashe, R. Plumer. 1½ *pp.* [C.O. 5, 323, *fos.* 131*d*-132.]

## 51

February 8.  
Palace Court.

Minutes of Common Council of Georgia. Resolved that persons in possession of certified accounts from Georgia be acquainted that the Trustees have sent sola bills to Georgia to answer the expenses for

which the said accounts were certified; and that if they will stay till the Trustees can hear from there relating to the application of the said sola bills, the Trustees will allow from this day 4 per cent. interest. Resolved that 500*l.* be paid to Ald. Heathcote on account; signed a draft on the Bank for the same. 1 *p.* [C.O. 5, 690, *p.* 128.]

## 52

February 8.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received receipt from bank for 3*l.* 3*s.* paid in at the last board. ½ *p.* [C.O. 5, 687, *p.* 55.]

## 53

February 9.  
Whitehall.

Council of Trade and Plantations to the King proposing Samuel Dicker and Thomas Edlin as councillors in Jamaica in the room of Thomas Hals and Thomas Garbrand, deceased. *Entry. Signatories*,

James Brudenell, R. Plumer, Monson, T. Pelham, Edward Ashe. 1 *p.* [C.O. 138, 18, *p.* 275.]

## 54

February 9.  
Whitehall.

Same to Duke of Newcastle, enclosing extract of letter from President Gregory of Jamaica dated 25 November 1737, together with copy of representation of the merchants at Kingston concerning the capture of ships by Spaniards, and papers referred to therein. *Signed*, Monson, T. Pelham, Edward Ashe, James Brudenell, R. Plumer. 1 *p.* *Enclosed*,

54. i. President Gregory to Council of Trade and Plantations; Jamaica, 25 November 1737. *Copy*, of extract of *Cal. S.P.Col.*, 1737, No. 595. 1½ *pp.*

54. ii. Merchants of Jamaica to President Gregory. *Copy*, of *Cal. S P Col.*, 1737, No. 595 iii. 3 *pp.*

54. iii. Benjamin Way to Edward Manning; *Loyal Charles* at Havana, 26 August (O.S.) 1737. *Copy*, of *Cal. S.P.Col.*, 1737, No. 595 i. 2½ pp.

54. iv. Letter from Henry Weare; Havana, 5 September (N.S.) 1737. *Copy*, of *Cal. S.P.Col.*, 1737, No. 595 ii. 2½ pp. [*C.O.* 137, 48, *fos.* 30-40d; entry of covering letter in *C.O.* 138, 18, p. 276.]

## 55

[February 9.]

Memorial of the merchants interested in and trading to H.M.'s Plantations and Colonies in America to Duke of Newcastle, gratefully acknowledging communication to them of several papers lately received from Spain touching the many and repeated depredations committed by that crown on the shipping and property of British subjects. The following observations are submitted. First with regard to Mr. Keene's letter, the authentic accounts he seems thereby to require as necessary to be sent to him are, as we apprehend, such as we assure you are not to be obtained in any of the Spanish colonies on the application of any private merchants. For the governor and all the royal officers there, as we are very credibly informed and most certainly believe, are interested in these seizures; and if so, they must be greatly affected by such authentic accounts as Mr. Keene mentions in his letter and no notary public there dare demand or attest any answer to be given by a governor for his non-compliance with his Catholic Majesty's orders of restitution, they being all intimidated from doing any act which may in the most remote degree affect the governor or royal officers. This puts it out of our power to comply with what Mr. Keene seems to think absolutely necessary and shows what kind of justice we are to expect when we are required at Old Spain to produce accounts which in the Spanish West Indies are rendered absolutely impossible to be obtained.

The only end for which these accounts can be insisted on as necessary to be produced is to show that the King of Spain's orders for restitution are not complied with. But it can never be supposed that the crown of Spain are strangers to what effect their own orders have had, neither could these orders have been carried into execution without some return that they were so, having been transmitted by the governor abroad to the ministry at home, such return being expressly required to be made by every order that has issued; and it is not to be presumed that any of the governors of the crown of Spain would dare to refuse a moment to obey any of the orders of their royal master if they were not fully assured the restitution thereby nominally directed was not really expected from them. We submit to you whether instead of the crown of Spain requiring such account to be produced by us which it is in their power to withhold from us, and which they actually do withhold from us, it does not seem more reasonable that it should be expected from the crown of Spain to show satisfaction has been made and which it is easily in their power to do than for Spain to require that from us which by their own acts they render impossible to be complied with.

But if these accounts were to be come at and could be produced, we yet fear they would be of very little effect. For if the first orders were not complied with, what reason can there be to expect a different success from a repetition of the same order? And we are the better warranted in this suggestion from the instance of the South Sea Company who (being a great and considerable body) had weight enough, as we have been informed, to get all the proofs and accounts required but were yet as far from actual restitution as if there had never been any order directing it to be made, though they had several *cedulas* for liquidated sums and likewise from the repeated *cedulas* in the two cases of the *Anne* galley and the *Woolball* obtained for private persons at the instance of the British court. So that, though the not obtaining such authentic accounts as Mr. Keene mentions is urged as a reason against restitution, yet could they be produced (which



care is taken to render impracticable in the case of private merchants) we yet apprehend restitution would be as far off as ever; for we do not know of any one single instance of any restitution having been made by the Spaniards from the time of the Treaty of Seville to this hour except a trifle in the case of the *Anne* galley not near sufficient to defray the expenses of solicitation, though by that treaty restitution was stipulated to be forthwith made of the several cases included in it, and we are sure we may safely refer to Mr. Keene himself, who has been at the court of Spain ever since that treaty, to point out one single instance of restitution from that time to this. If restitution in the present instances is to be delayed till those accounts mentioned in Mr. Keene's letter are produced it will never be made at all because the Spaniards will themselves take care we never shall have it in our power to produce them.

With regard to the letter of the Marquis de Torreaneva and the declaration thereto annexed, you will observe that it plainly appears from this letter of the marquis that several of the *guardacostas* in the Spanish West Indies are not duly commissioned pursuant to what was agreed on by this declaration, and particularly that no security had been given which manifestly shows (as we apprehend it) that all the depredations which have of late years fallen so heavy on the trade and navigation of this kingdom in those parts have been carried on not only with the privity and permission, but under the protection and by the orders of the crown of Spain. For otherwise it is hardly to be conceived that any governors under the crown of Spain would have dared to have granted commissions without observing all the requisites mentioned in this declaration or if they had that some more severe notice would not have been taken of such their misbehaviour than what is done by the said marquis's letter, unless it could be supposed (which it never can) that the crown of Spain has not power to enforce the execution of their own orders.

We would now speak a word to those instances of commissioning *guarda-costas* in which security has been taken, and here the governors of the crown of Spain have managed matters so that, though the security be taken in name, yet in reality it comes to the same thing as if there was none; for the sum in which security is given by the owners of a *guarda-costa* is, as we are informed, very small, and few or none apply for these kind of commissions but such who are of desperate fortunes. But this the governors contend is complying with the letter of the declaration, and a compliance with it in its literal sense is all that is even now required by the marquis's letter, but this cannot with any shadow of reason be considered as complying with the true meaning of this declaration. And as to any additional security being derived from that part of the declaration which subjects the governor and places him in the room of the security in case they are insufficient, you will easily credit us when we assure you he is out of the reach of any power but that of his own royal master; and it is a fact notorious that the Spanish governors have a share in the captures as the consideration of their granting the commission, this shows you at one view how improbably it is that the British traders should look for or expect any assistance from a governor thus circumstanced and how secure on the other hand the Spanish captors are of every help in his power to give them.

As the persons who take out these commissions are generally of the meanest and most desperate fortunes so, if they cannot within the six months which is the destined time of their cruise meet with any lawful capture, they are under a necessity of taking those who are not so; for otherwise on their return they are disabled to go out again upon a second cruise. And that they are determined to take whatever falls in their way plainly appears from the instances of the several captures lately laid before you and from their own confession in the case of the ship *St. James*, where they freely owned to the crew of the ship that they were fallen into bad hands and this before it was possible for them to discover whether there was any contraband goods on board or not. From

these facts laid together we submit it to your consideration whether there is not a strong foundation to insist that no vessels ought to be fitted out in time of peace by any of the Spanish governors but at the expense of the crown of Spain and by the king's commission; and that all other ships pretending to be *guarda-costas* or cruisers should be deemed pirates and treated as such, in which case it is to be presumed that no captures would be made but such as were really legal, or if there should the application for restitution would be plain and easy. This will appear the more necessary and reasonable to be insisted upon, it being the general custom and usage in the Spanish West Indies for all who engage in these cruising voyages to do it without any certain pay, each man being by agreement to depend entirely for his reward out of the captures they shall make so that they are really in all respects saving only their being protected by the authority of a Spanish commission on the same footing with freebooters and pirates.

With regard to the declaration which accompanies the marquis's letter, this we apprehend to be nothing more than a copy of that agreed upon in 1732, and as it has never been observed from that time to this there is very little reason to expect it will be observed now when the Spaniards seem to carry their insults on this nation to a greater height than ever and when the letter that accompanies this declaration only recommends its being observed in its literal sense, and that too according to our judgements in a very cool and indifferent manner. Whereas was the crown of Spain in earnest in this matter, we cannot help thinking that when it appeared to the satisfaction of the crown of Spain that so solemn an engagement as this declaration of 1732 had been most shamefully broke and eluded by their own governors, they would have inflicted some exemplary punishment on the violaters of it. But nothing of that kind has been done; neither has any governor been recalled for his disobedience, nor is there in this letter of the marquis's any directions to the governor so much as to question these cruisers who have been out without being duly commissioned nor the least censure passed on the governors for granting such commissions. That cruel and inhuman monster who cut off Captain Jenkins's ear (a fact formerly laid before you) instead of being punished or questioned for it has been rewarded for his barbarity with the charge of several commissions since.

With regard to the *cedula* for restitution of the ship *St. James* on the terms therein mentioned, we will first inform you of the manner observed in deciding British property in the Spanish dominions in America and then submit it to your consideration whether in reason or justice those terms ought to be complied with. The manner of deciding English property in these parts is this: they keep the master and crew all confined as prisoners on board their ship till after the trial is over, but to preserve the appearance of a trial a Spaniard is set up by the governor and constituted a party in lieu and stead of the owners. This Spaniard without ever consulting with the master or crew makes what may with great truth be called a sham defence and the ship is condemned. From this sentence of condemnation an appeal lies to the Council of the Indies in Old Spain, on which appeal, as we apprehend, no new defence can be made nor any evidence received or read that was not laid before the courts below.

This being the true state of the case, should the owners of the *St. James* give security to abide by the determination of the Council of the Indies in Old Spain, it would in effect be the same thing as owning the capture to be just. For is it very easy to imagine what kind of defence it was, if any was made, when the person who made it must have been set up by the governor whose interest it was to have it condemned and when the persons who were interested to preserve the ship and show the capture to be illegal must have been strangers to the defence which was made for them; and it is natural to conclude the master and owners must be in a very hopeless situation if their property is to depend on the defence which their avowed enemy thought fit to make. All the sea-



papers and ship-documents are the very first things the Spaniards seize and which are the principal, if not the only, evidence out of which the defence of the claimants must arise, and these are either destroyed by the captors or else kept by them who continue out at sea on their cruise till the expiration of their six months, so that it is impossible for these to have been produced on behalf of the claimants at Porto Rico or to be laid before the Council of the Indies at Old Spain.

We likewise submit to your consideration the great unreasonableness of giving security in any case to restore a thing which is not put into the possession of those who give the security before or at the time they enter into it. It being against all reason to give security to restore that which we have not, restitution (with the utmost deference) ought to precede the security (in case any was proper to be given) or at least ought to go hand in hand with it, and from the success of former ones a Spanish *cedula* for restitution does not in any respect, in our opinions, deserve such credit to be paid to it.

But were these difficulties out of the way, yet it seems to us a most insulting request that where a British ship appears to have been taken in so violent and unjustifiable a manner under a Spanish commission so apparently in breach and defiance of all the treaties subsisting between the two crowns that such a security or that any security should be insisted on previous to the restitution and which, should it be given, would we apprehend be made use of as a very strong argument to justify the seizure and to show that the issue of this affair was by ourselves put upon a very different footing from that we first set out on.

We think this ought to be considered as a matter of a national concern and national consequence and not merely as a private application from those who have suffered for private restitution. We think the views of the court of Spain seem to be more calculated to amuse than to redress. But we hope the memorial Mr. Keene has received directions to present to the court of Spain upon our late most humble application to the throne has received a very different treatment and that in consequence thereof the unhappy sufferers by the Spanish depredations will obtain speedy and ample satisfaction and the commerce and navigation of the British subjects be protected and secured. *Signed*, Thomas Butler senior, agent for Nevis, John Yeamans, agent for Antigua and Montserrat, Richard Coope, agent for St. Christopher's, Francis Wilks, agent for New England, John Sharpe, agent for Jamaica and Barbados, Roger Drake, Peter Delamotte, James Knight, Samuel Bonham, Thomas Tryon, Rowland Frye, Charles Pole. [*Seven last-named sign*] by order and on behalf of the merchants trading to the British Plantations in America. 3 large pp. *Endorsed*, Recd. 9 February 1737/8. [C.O. 5, 5, fos. 153b-153c.]

56      Memorial of David Dunbar, Lieut.-Governor of New Hampshire  
[February 9.]      and Surveyor of H.M.'s Woods in America, to Council of Trade and Plantations, praying for answers to his former petitions in July last and recapitulating ill-usage at the hands of Governor Belcher who has now abandoned Fort Frederick and left without defence the inhabitants settled there. *Signed*. 1 p. *Endorsed*, Recd., Read 9 February 1737/8. [C.O. 5, 880, fos. 89-90d.]

57      Council of Trade and Plantations to the King, proposing James  
February 10.      Crockat and Edmund Atkins as members of council in South Carolina  
Whitehall.      in the room of Col. Thomas Broughton and Arthur Middleton,  
deceased. *Entry*. *Signatories*, R. Plumer, Monson, Arthur Croft, Edward Ashe. 1 p.  
[C.O. 5, 401, p. 249; draft in C.O. 5, 381, fos. 262-263d.]

58

February 10.  
Whitehall.

Thomas Hill to President William Bull acknowledging letter of 10 December last and recommendation of Joseph Blake and Charles Pinckney as persons proper to be councillors. The Council of Trade and Plantations would have obliged you but that James Crockat and Edmund Atkins had been well recommended before receipt of your letter. *Entry.* 1½ pp. [C.O. 5, 401, pp. 250-251.]

59

February 10.  
Cartagena.

Unsigned and unaddressed letter. We are much alarmed here by an expedition of the Spaniards at Havana, an account of which take as follows in the words of Capt. McCulloch, commander of sloop in the Asiento service, who is actually detained at St. Jago de Cuba by order of the captain-general of Havana upon that account. He writes there are 3,000 regular troops in Havana besides the garrison and that their transports are all ready and flat-bottomed boats to go up the rivers, and they have four men-of-war of the line, two of which are just come from Spain; and that they are to be joined with 5,000 troops from Mexico and 4 men-of-war which they have lying at Vera Cruz. This expedition is designed against Georgia and Carolina, and very probably they are now employed in the transportation of the troops. This account agrees with all the accounts I have been able to learn from the Spaniards. We cannot understand from what comes the report of their being joined with 5,000 troops from Mexico, for there are no such troops there unless it be some French troops from Mississippi, so that the last part wants confirmation. However it has such a bad aspect here we begin to look out for the worst. 1½ pp. *Copy.* *Endorsed,* Recd. in London 11 April 1738 *via* Jamaica. Copy sent to Mr. Keene, 12 April 1738. [C.O. 137, 56, fos. 91-92d.]

60

[February 10.]

Extracts of two letters in Mr. Drake's of 10 February 1738. (1) Jamaica, 25 November 1737. Enclosed are two paragraphs of a letter from Havana where they make no scruple of declaring their intention of taking every English ship they can overcome. We have been for some years on a very bad footing in respect to the Spaniards. We have had such floods of rain with hard gales of wind that I fear we shall not make so much sugar next year as we expected, many plantations having sustained considerable damage thereby. (2) Havana, 7 September 1737. The expedition against Georgia is now publicly declared. About 400 soldiers with stores are arrived from Old Spain and these it is said are to join about 2,000 more which will be sent from Vera Cruz. So that by next spring we shall see where they are to be employed. A *guarda-costia* of this place has sent in the following prizes: *Prince William*, Capt. Kineslagh; *George*, Henry Weir; *Loyal Charles*, Benjamin Way; *Dispatch*, Charles Delamot; and a Dutch ship and sloop. She is now cruising about six leagues off this harbour in order to intercept all our merchant-ships bound through the gulf. N.B. It is imagined those ships are designed for transports on some expedition in the spring, probably against Georgia. *Copies.* 1½ small pp. *Endorsed,* in Mr. Drake's of 10 February 1737/8. [C.O. 137, 56, fos. 93-94d.]

61

February 11.

The case of the blank patents in North Carolina, with the opinion of the Attorney-General and Solicitor-General thereon. In or before 1724 the Lords Proprietors ordered their governor in North Carolina to shut up the land office, which was a prohibition from granting any more lands except by order of their Board in London, and then at 20*l.* sterling per 1,000 acres payable in London. Nevertheless some leading men of the province prevailed on Governor Everard to sign patents on various pretences, the principal of which was in 1728 when land was granted



at 20*l.* per 1,000 acres to raise money to pay those concerned in the running of the boundary between North Carolina and Virginia. Patents were issued for 400,000 acres, four times what was necessary to defray the cost of the boundary. Most of these patents were issued after the king's purchase in 1729, but before a crown governor arrived. The patents were signed and sealed, but the person's name, number of acres, description of the boundary and the sums paid, were left blank to be filled up as the Lords Proprietors' officers thought fit. The governor therefore had no power to grant such patents, and those he granted were deficient in all the requisite forms. The people of the colony object that they have paid a value for their patents and should not lose their rights; that it was at all times the practice of the colony for the governor to sign blank patents; and that in the Act for the sale of North and South Carolina to the crown there was a clause inserted upholding patents made by the Lords Proprietors either in England or the provinces before 1 January 1727. The governor replies that the patents were obtained by shameful collusion with the Lords Proprietors' officers and were not preceded by regular surveys; that dates have been filled in since H.M.'s purchase; that the prohibition upon the Lords Proprietors' governor granting land was well-known; that all the rich lands have been fraudulently engrossed; that if H.M. gives the patentees preference in taking out new patents at quit-rents of 4*s.* proclamation money per 100 acres they have no occasion to complain; and that the confirmation of grants made before 1 January 1727 was not intended to extend to grants that were originally null and void. The quit-rents of most of the patents under the Lords Proprietors are 6*d.* and 1*s.* per 100 acres; those under the crown are at 4*s.* proclamation money per 100 acres.

The answers of the Law Officers to the queries put to them are as follows: (1) That patents granted after the Lords Proprietors had ordered the closing of the land office may be good, if the Lords Proprietors were privy to the grants or if they received the consideration for them; otherwise not. (2) That patents granted by the Lords Proprietors' governor after the king's purchase and before the arrival of a crown appointed governor are not good. (3) That the clause in the Act of purchase about quieting possession of grants refers to patents made before 1 January 1727. Considering the extraordinary circumstances and that the crown had no notice of the grants at the time of the purchase, there is great reason for a strict enquiry into the validity thereof and to void them for irregularities. The grants made for defraying the expense of the boundary line seem to stand in a more favourable light. (4) That blank patents are void. But if they have been attended with long possession and are not otherwise fraudulent, they ought to be supported. (5) That patents issued without descriptions of boundaries are void. (6) That the question of warrants issued many years before the grants depends on particular circumstances. (7) That the lands of those who have possessed themselves of more than their grants allow may be resurveyed and remedy taken by information in a court of equity in the province. But those whose grants were made before 1727 have the benefit of the Act and are not liable to resurvey. (8) That the proper method for vacating grants is by information in the proper court of the province, and in case of error there by appeal to H.M. in Council. *Signed*, D. Ryder, J. Strange. 12 pp. *Endorsed*, Recd. 13 February, Read 14 February 1737/8. [C.O. 5, 295, fos. 108-114*d.*]

62

February 15.  
St. James's.

Order of King in Council approving of George Thomas to be deputy governor of Pennsylvania without limit of time and of the three counties of Newcastle, Kent and Sussex during H.M.'s pleasure only.

Thomas, being now in the Leewards Islands, may give the usual security for observing the Acts of Trade and qualify himself as by law required before the governor or a

lieut.-governor of the Leewards. *Copy*, certified by W. Sharpe.  $1\frac{1}{2}$  pp. *Endorsed*, Recd. 28 March, Read 11 April 1738. [C.O. 5, 1269, fos. 10, 10d, 14, 14d.]

**63** Same, approving an Act passed in Virginia in September 1736, to dock  
February 15. the entail of certain lands whereof Lewis Burwell is seised. *Copy*,  
St. James's. certified by W. Sharpe.  $1\frac{1}{4}$  pp. *Endorsed*, Recd. 28 March, Read 13 April  
1738. [C.O. 5, 1324, fos. 126a, 126a dorse, 129, 129d.]

**64** Same, approving draft commission to Lewis Morris to be governor of  
February 15. New Jersey. Duke of Newcastle to prepare warrant. *Copy*, certified by  
St. James's. W. Sharpe. 1 p. *Endorsed*, Recd. 28 March, Read 13 April 1738. [C.O. 5,  
973, fos. 110, 110d, 115, 115d.]

**65** Same, directing the governor of the Leeward Islands or any lieut.-  
February 15. governor there to administer the oaths required by law to George  
St. James's. Thomas, appointed deputy governor of Pennsylvania, and to take  
security of 2,000*l.* for his observing the Acts of Trade. *Copy*, certified by W. Sharpe.  
 $1\frac{1}{4}$  pp. *Endorsed*, Recd. 28 March, Read 11 April 1738. [C.O. 5, 1269, fos. 10, 10d, 13, 13d.]

**66** Minutes of meeting of Trustees for Georgia. Read a petition to  
February 15. House of Commons for supply to enable the Trustees to provide for  
Palace Court. the further establishment of the colony. Sealed the same, secretary to  
countersign. 1 p. [C.O. 5, 687, p. 56.]

**67** Petition of Trustees for Georgia to House of Commons. Since their  
February 15. last application the Trustees have been put to very great expenses in  
fortifying their settlements against the Spaniards who threatened Georgia with invasion.  
The inhabitants were hindered in cultivation of their lands. Foreign and other Protes-  
tants have been sent over. A further supply is needed more effectually to establish the  
colony. The situation of the province and the advantages that may arise from it are  
important. The securing the friendship of the Indians is particularly necessary. The  
support of the civil magistracy is necessary to be defrayed in the infant state of the  
colony. *Entry. Signatory*, Benjamin Martyn. 1 p. [C.O. 5, 670, p. 337.]

**68** Captain James Gascoigne to Harman Verelst. On my arrival this day  
February 16. from the southward I received yours of 10 October wherein the  
*Hawk* in Tybee Trustees order two German families to serve me. Mr. Causton most  
Road, Georgia. obligingly offered two families of my own choosing, but receiving  
advice of a Spanish launch being arrived (from St. Augustine) at St. Simon's, I had only  
time to choose one, of which Mr. Causton will advise you. I am preparing to return to  
St. Simon's so soon as I can settle the account that has unavoidably happened between  
the stores of the Trustees and myself by occasional supplies on each side. *Signed*. 1 small  
p. [C.O. 5, 640, fo. 51.]

**69** Duke of Newcastle to Council of Trade and Plantations, transmitting  
February 16. the following. *Signed*, Holles Newcastle. 1 p. *Endorsed*, Recd., Read 17  
Whitehall. February 1737/8. *Enclosed*,

69. i. Resolution of House of Commons to address H.M. for copies of applica-  
tions to H.M. for warlike stores from the Plantations in America with account how  
far the same have been granted. 1 p. [C.O. 323, 10, fos. 116-117d, 120, 120d.]



**70** Council of Trade and Plantations to the King. No objection appears either to Mr. Fane or to us why the ordinance passed in South Carolina 26 June 1736 for maintaining free trade with the Creek, Cherokee and other Indians should not be confirmed. But we submit to you whether it may not be proper to let it lie by till the disputes between Georgia and Carolina shall be determined. *Entry. Signatories*, James Brudenell, T. Pelham, R. Plumer, Edward Ashe. 1½ pp. [C.O. 5, 401, pp. 251-252; draft in C.O. 5, 381, fos. 260-261d.]

**71** Same to Committee of Privy Council, transmitting draft of additional instruction for Edward Trelawny, governor of Jamaica, giving him power to grant royal mines in his government. *Entry. Signatories*, Monson, James Brudenell, R. Plumer. 1 p. *Enclosed*,  
 71. i. Draft of instruction referred to in covering letter. *Entry*. 8 pp. [C.O. 138, 18, pp. 266-285.]

**72** Harman Verelst to Thomas Causton, by the *Brooke*, Capt. Keete. *February 17. Georgia Office.* Since my last letter (11 January, copy now sent), two more certified accounts have been presented to the Trustees for payment, transmitted to Messrs. Pytt & Tuckwell from Mr. Brownfield, the one for 111*l.* 0*s.* 3*d.* and the other for 90*l.* 9*s.* and both of them are unpaid as well as the 1961*l.* 17*s.* 7*d.* I believe the merchants possessed of those certified accounts will choose to keep them here until the Trustees hear from you what sum in sola bills you have reserved and will keep by you unissued until the Trustees' further pleasure shall be known thereon, which sum the Trustees fear will not be great by reason of several of the abovementioned sola bills being already come home for payment. You see the confusion created by your making expenses before you had the sola bills to defray them and thereby are now unprovided for, and you must regulate yourself to the contents of the Trustees' letter by Mr. Stephens; and the Trustees direct you not to certify any account for the future to any person whatsoever nor contract any expenses but those you are ordered to make and have sola bills to defray, which you will be supplied with to the amount of all expenses you are ordered to make. And for that purpose you will receive the established expenses that are to be made for 1738 as soon as the Trustees know to what amount they will be enabled to make those expenses go; and one-half of that amount will be sent you in sola bills for that purpose at one time and the other half at another time, and no other payments whatsoever will be made by the Trustees here but those for their sola bills. The Trustees direct you to send them a remain of stores at Lady Day next both at Savannah and Frederica and also an account of what credits have been given by the stores to any and which of the inhabitants that have not been repaid at Lady Day next; and if any debts due from the store at that time more than the certified accounts received as beforementioned you must let the Trustees know. *Entry*. 1 p. [C.O. 5, 667, fo. 53d.]

**73** *February 18. New York.* Lieut.-Governor George Clarke to Council of Trade and Plantations. On 17 December I acquainted you that the assembly were adjourned for this season, having first made good the deficiencies of the last revenue, which were very considerable, and given some funds for a future support, the application whereof they have reserved to their next sitting. Nor in all likelihood will they then give it for a longer time than from year to year, that being the general disposition of the people as well without doors as within, hoping thereby to restrain a governor from running into any excesses. For my own part, if I had nothing to consult but my own ease and interest, it would give me no great concern since I think a moderate

use of power is the best and I am sure is most agreeable to my nature. But as former revenues have been given for a longer time I think myself obliged in duty to H.M. to endeavour at least to get it established on the same foot. How I shall succeed I cannot tell. The grievances complained of in a late unhappy government have soured the people and will make my task exceeding difficult, though as to other things I have had the good fortune to succeed pretty well, having reduced the province to a state of repose little looked for in so short a time. And yet you will easily imagine that it will require a longer to wear out the memory of unkindnesses so lately and so warmly done by each party to the other. But a steady course of moderation in the administration of the government, if there be no prospect of a speedy alteration in it, will I hope in the course of a few years perfectly restore them to a mutual benevolence.

For my own part I think I may very justifiably make use of all advantages to obtain a settlement of the revenue for a term of years and shall soon have one which, if you approve of, it may answer the end. It is this: about twenty years ago the excise on strong liquors, which before that time had all along been appropriated to the revenue, was given towards the sinking a large sum of paper money then struck to pay the debts of the government. This fund will expire in 1739 when, as I am informed, there will be nigh 20,000*l.* of that paper money unsunk. I presume therefore whenever the assembly talk of continuing that fund or giving another to sink that paper money I may then insist on a revenue for a term of years as a condition of my assenting to such bill. But yet I would fain have your opinion and commands thereon before it be brought on the carpet, which probably may be next summer; nor must I too much rely on that expedient but make use of it in conjunction with other things to win them to the like measures that former assemblies have taken, lest by insisting too highly and positively on it I kindle a new fire in the province. For those paper bills will be in a multitude of hands who will without doubts be very clamorous on that occasion.

One thing that the country have for several years complained of and borne with much impatience is the long continuance of their assemblies, and to it they in a great measure impute the party heats, animosities and divisions that have subsisted here, with the decay of ship-building, navigation and trade. To that (they say) it is owing that many people have left this province to go to Carolina, Pennsylvania and the several charter-governments in New England; whereby lands in the country and houses in town are much fallen in their value and in their rents. They look upon frequent assemblies as the best and surest protection of their liberties and properties. It is to the laws subsisting in the other colonies which I have mentioned for frequent elections that they ascribe the happiness of those people, the increase of their trade, and the peopling their countries in a few years past even beyond belief. Whether this be the sole or the prevailing cause, it is certain that the people of this province passionately wish to be put by a law in the like situation with their neighbours whom I have mentioned, hoping from thence to retrieve their declining trade, navigation and ship-building and to see the province soon replenished with white people. And truly I think it were to be wished that the provinces under H.M.'s more immediate government were to be upon a foot as advantageous for the encouragement of their inhabitants and of strangers to come and dwell in them as the charter and proprietary provinces.

It is pity that this province, above all others as it is a frontier, should not be well-peopled. If it was, the French would not take those large strides they have done and are daily taking; they have already possessed themselves of the Crown Point and built a strong stone fort there which cuts off all communication between us and the northern Indians from whom we formerly had much beaver; they have possessed themselves of Niagara whereby they may in great measure intercept the trade of the western Indians



in their way to Oswego; they have attempted and had well nigh obtained leave of the Six Nations to build a trading house at Tierondequat in the Senecas' country, which for the present I have happily prevented and am now taking some measures to get from the Six Nations some land to build a fort on at that place. If I fail in that attempt and the French succeed, adieu to Oswego and all our fur trade, for Tierondequat will entirely cut off our western fur trade, and what the consequences thereof will be to the trade of England you know full well. Nor is the loss of our trade all that we are to apprehend, for with it we shall lose the Six Nations. It is with much difficulty and a great annual expense to this province in time of peace without any assistance from our neighbours that we have and now still retain the fidelity of the Six Nations who, with us, in time of a French war are the only barrier to New Jersey, Pennsylvania, Maryland, Virginia and Carolina. And yet even then they give us no aid but leave us to defend ourselves as well as we can. A people thus circumstanced, ever ready to defend themselves in time of war and to cover the other British colonies, thus situated to carry on the fur trade which centres in England to the great advantage of that kingdom, I presume to think deserve your countenance in all things reasonable. For my own part I dare not interpose my opinion whether this felicity depends so absolutely as they think it does on their having frequent elections. It is sufficient for me to tell you that they themselves are fully possessed with that opinion; and in that confidence they did the last session pass an Act for triennial assemblies, the event whereof they are so impatient for that at their request I now send it to you by way of Boston before the other Acts can possibly be engrossed, hoping that by your favourable representation it may obtain H.M.'s approbation and that I may have it before the assembly sits, which I shall be obliged to put off as long as I can for that purpose.

They did likewise the last session pass an Act empowering themselves to appoint an agent independent of a governor or the council. But the council, who were not averse to exclude the governor, would not be excluded themselves; they therefore made those alterations. But the assembly would by no means agree to them so that the bill dropped. However the assembly having their triennial bill very warmly at heart sent their speaker to me desiring me to be their agent to negotiate H.M.'s approbation of their bills and especially of that bill. I said what I could in excuse, founded upon their bill for appointing an agent and upon other prudential considerations. But that would not do; he answered me that the house reposed an entire confidence in me which showed plainly in framing that bill they had no eye to me and they hoped I would not deny their request. I found myself obliged to give in to their desire, hoping for your countenance in it and that from H.M.'s approbation it may have a very good effect on the minds of the people. I send you a copy of their resolve.

If it were not for the reason mentioned, vizt. that the people are impatient of living in a province where assemblies subsist without limitation of time and for the inferences they deduce from it, it were impossible one would think that this province should be so thinly peopled, for our soil is as good or better than that of our neighbouring colonies, they [lands] are to be purchased or patented on easier terms, the quit-rent is considerably less than in Pennsylvania (the present growing colony), our land taxes none but such as are for the necessary charges of the respective counties which are annually assessed and levied by themselves and are very inconsiderable; no province is more happy in its situation for trade and navigation; this town is not above 21 miles from the sea having a bold and safe channel to it for vessels even of a large size, and an excellent harbour before the town; our inland navigation is inferior to none, for besides that to New Jersey and Connecticut Hudson's river is navigable through the heart of the province 150 miles from New York to Albany; from Albany to Schenectady is but fifteen or

sixteen miles by land and there you enter into the Mohawks river, which is navigable for canoes and battows to the head of it, being about 120 or 130 miles; from thence there is a short land-carriage of a few miles to the Wood Creek which leads through the Oneides lake to Oswego and all the lakes and rivers even to the branches of Mississippi. It is from the Indians that inhabit near and to the northward and westward of those lakes that we have our beaver in exchange chiefly for goods of the manufacture of England.

With all these advantages this province, if it were populous, might extend its trade to a far greater length. But it cannot be expected that they will make settlements in remote parts while the lands nearer at hand are not inhabited; for upon the first rupture with France they must expect to quit them and retire for protection or to be cut off by the enemy who, having already several forts between Canada and Mississippi, have established a communication between those places which encompasses all the English colonies on that side, will make them masters of all the Indians and Indian trade, and enable them to annoy our colonies upon every occasion. And yet the assembly think that things are not come to that pass but that they are still within a possibility of a remedy from the increase of people among us, which they assert can no way so well be brought about as by putting the inhabitants of this province upon a footing as near as possible with their neighbours in the frequent election of their representatives. This they say will above all things promote that great end, those who are already removed from the province will return to it again, others will be encouraged to come hither from abroad, shipbuilding will again revive, and in consequence trade and navigation will again flourish. Ironworks (of which ore we have great plenty) and the raising of hemp (for the produce whereof the province abounds in swamps and meadows, the properest land for it) will be set on foot either by private undertakings or by public encouragement. In a word they impute every evil to the want of this Act and promise themselves every blessing from H.M.'s approbation of it. Be that as it will, it is certain that the discontents of the people have grown in proportion to the length of time that an assembly has been continued beyond what they thought reasonable. I therefore hope for your favourable representation of it to H.M. for his royal approbation and for your pardon for this long address. *Signed.* 3½ pp. *Endorsed,* Recd. 26 April, Read 2 May 1738. *Enclosed,*

73. i. Resolution of Assembly of New York, 16 December 1737, soliciting the lieut.-governor's utmost endeavours in obtaining royal assent to the Act for frequent election of representatives. *Copy. Signatory,* Lewis Morris, junior, Speaker. ½ p. *Endorsed,* as covering letter. [C.O. 5, 1059, fos. 45-47d.]

74 Same to Duke of Newcastle enclosing the following. *Signed.* 1½ small pp. *Endorsed,* Recd. 26 April. *Enclosed,*

74. i. Same to Council of Trade and Plantations of same date. *Copy,* of No. 73. [C.O. 5, 1094, fos. 42-45d.]

75 Harry Buckley to Harman Verelst. I have received yours of 12 February 19. October and Samuel Goffe with his indenture you forwarded me from Frederica. Mr. Richard Buckley. I have not yet received the 6l. 13s. sterling you mentioned, which Mr. Causton has offered to receive either here or at Savannah. When I receive it, I shall advise you so that it may be made good to the Trustees. *Signed.* P.S. Pray give my service to Mr. Towers. 1 small p. [C.O. 5, 640, fos. 53-54d.]



76

February 20.  
Charleston.

Samuel Eveleigh to Harman Verelst. I have for three months past been very ill which has been the occasion that I have not sent you the *Carolina Gazettes* during that time. About six weeks since here was a report come down from the Creeks that the French had killed sixteen Chickesaws, upon which this government sent an express up thither to persuade them to withdraw from their ground and come down among other Indians in friendship with us. The messenger is returned and as I understand has brought an account that the Chickesaws will come down. I have no further news about them but that it is the Choctaws that have killed the Chickesaws, and I hope they will be paid very well for their labour. I find the newspapers are very acceptable to Mr. Causton and others at Georgia, so that the continuance thereof will be an obligation. *Signed.* 1 small p. [C.O. 5, 640, fos. 55-56d.]

77

February 20.  
Kingston.

Unsigned and unaddressed letter. The man-of-war sent down to Havana to demand the captures is returned, having no other satisfaction than the king of Spain would give credit for the same and that they must have many more before the account would be balanced, and withal ordered the man-of-war to be gone directly, having kept the lieutenant a prisoner one night. That they have some grand preparation afoot is not doubted, not only because they suffered no one to come on shore from the man-of-war's boat but the lieutenant, and suffering him to go nowhere nor see even the factor but the governor being present, so was not suffered to have any conversation with his fellow-subjects. Notwithstanding this strange proceeding to endeavour to keep everything so very private, there is a letter from Santa Augusta by the way of Carthagená that there have been a large number of soldiers imported from Old Spain and that they daily expected more from Mexico. The same person writes this expedition is to be against Georgia and Carolina and that afterwards they intend to attack this island and that they are to be assisted with provisions and shipping etc. by the French. The South Sea Company's factors here are very angry at the publication of this news and would insinuate they have no intelligence of it only because they believe it will be more difficult for them to take up shipping; they refuse giving security or demurrage any longer than 30 days, on which footing none but a madman will engage these precarious times. It is generally supposed the South Sea agents are not only assistants in buying vessels here for the Spaniards to fit out for privateers but also in supplying and advising them in an extraordinary manner, because their supplies at this juncture seem to call [*sic*] more urgent. They sent a sum of money to New York to have an extraordinary supply of flour; they have had 1,000 barrels already imported by the *Mary*, Capt. Robert Ratsey, of New York, and they daily expect another ship from the same place with flour. They have also imported a large quantity of beef. These unusual proceedings of the company agents at this juncture are the cause of great speculation. P.S. From another house: there is a Spanish sloop arrived here from Havana which forms a pretence to refit being disabled; whether she will be detained as a spy is yet uncertain. *Copy.* 2½ pp. *Endorsed,* In Mr. Jenkins's to Mr. Drake of 8 April 1738. [C.O. 137, 56, fos. 89-90d.]

78

February 22.  
Whitehall.

Duke of Newcastle to Council of Trade and Plantations, enclosing the following papers for consideration and report. *Signed,* Holles Newcastle. 1 p. *Enclosed,* Recd. 1 March, Read 8 March 1737/8. *Enclosed,*

78. i. Petition of James Wimble, late master and principal owner of the *Rebecca* brigantine, to Duke of Newcastle and Lord Harrington; London, 18 September 1737. On 20 March 1731/2 petitioner put into Providence Island; there he and his ship were detained by Governor Woods Rogers and forced to go on the king's

service to protect the people then working at the salt ponds. After this service, petitioner was sent to Abico to fetch timber for the garrison and then to Rum Key to take in salt. At Rum Key on 4 August 1732 the vessel was driven ashore by a hurricane, broken up and lost. The loss of ship and goods amounted to 2,500*l.* and petitioner seeks reimbursement. *Signed.* 3 *pp.*

78. ii. New Providence, 25 March 1732. Commission by Governor Rogers to Capt. Wimble, commander of *Rebecca*, 10 guns and men answerable, to proceed to Exuma and other salt ponds and there rake salt with as many men as he can spare from the guard he is obliged to keep on his ship ready to fire alarm guns when he discovers any danger from the Spanish piratical sloops or other vessels that have sundry times done great damage to the inhabitants of these islands at this season of the year. Capt. Wimble is empowered to summon all men capable to assist in defending the salt ponds aboard his vessel and they are upon any alarm to retire at once on board the *Rebecca* and there, under his command, defend themselves and try to seize any pirate who attacks or disturbs them. Such pirates are to be brought to this port and tried according to law. *Copy*, certified at Tottenham-court Road, 23 January 1737/8, by Chaloner Jackson. *Signatories*, Woods Rogers, William Shott, deputy secretary. 1 *p.*

78. iii. Protest sworn at Newport, 11 October 1732, before Richard Ward, notary public of Rhode Island, by James Wimble, master, John Snell, mariner, and Francis Leture, mate, lately of the *Rebecca*. [*The circumstances of the loss of the said ship are as in No. 78. i.*] Wherefore this protest is made against Woods Rogers, then governor of New Providence, against his detaining the ship, and also against the boisterous winds and seas as the only and sole cause of all the damages. *Copy*, certified by Joseph Marion, notary public in Boston, New England, 15 November 1732. 3½ *pp.* *Endorsed*, as covering letter. [*C.O.* 23, 4, *fos.* 42-48*d.*]

79

February 22.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Rev. John Wesley attended and delivered a narrative of his own relating to the complaints of Mrs. Williamson, and three certificates, one signed by James Burnside

dated Savannah, 1 November 1737, another of same date signed by Margaret Burnside, and another signed by Charles Delamotte dated Savannah, 25 October 1737. ½ *p.* [*C.O.* 5, 687, *p.* 57.]

80

February 23.  
Antigua.

Governor William Mathew to Alured Popple. I have delivered to Capt. Fellowes directed for you a box containing an Act of Nevis to prevent negroes and other slaves from selling anything without a

ticket from their masters, copy of minutes of assembly of Montserrat for quarter ending Christmas 1737 and transcript of minutes of council of that island ending Christmas 1737. On receipt of their lordships' orders relating to my transmitting the evidence against the two Johnsons as it appeared before the council and assembly of Antigua, I wrote from St. Christopher's to the lieutenant-governor of Antigua and to the speaker of the assembly: the speaker returned to me the enclosed answer. The council I found on my arrival here had done nothing in it, for no regular minutes had been entered by the clerk on those trials. But now a committee is appointed to gather from their memories and from private notes they then took something of a summary of the evidence. From the time I left this island in April last no business has been done and the island has greatly suffered in its public credit. A controversy had arisen between the houses on a point of privilege and I found them greatly divided; but by mediating the matter between them on my arrival all that is past is buried in oblivion, both houses are entirely reconciled, and we



are going most diligently on public business towards retrieving the lost time. *Signed*. 2 small *pp*. *Endorsed*, Recd. 1 May, Read 2 May 1738. *Enclosed*,

80. i. Speaker of Assembly of Antigua to Governor Mathew, 3 January 1737/8. The letter you wrote concerning the evidence for and against the Johnsons on their trial before the assembly I waited on the [lieut.-] governor with the day after I received it; and at a meeting of the assembly about four days after that I laid it before the house who directed me to inform you that no minutes of that evidence were taken by the clerk or any other person by order of the house. There were some few gentlemen who for their more serious consideration took down what was given in evidence, but that I believe has not been very carefully preserved: Mr. Warner's, whose [notes] were more regular and correct than most of the others, were lodged with Mr. Kerby the former speaker, but could not that day be found, nor has it since been heard of, but if it had could not be attested as you require. If you think that or any other copy from one of the members of the assembly will give any light to the Lords of Trade and will give me directions I shall endeavour to procure the most full and correct evidence that has been preserved of that matter. I hope you will excuse my not answering your letter sooner, this being the first opportunity I have met with since; as I live in the country and Mr. Kerby<sup>1</sup>, whom I desired to give me notice of any that offered, forgot to do it, I believe some have been that I could not be apprised of, and this I hear of by mere accident. *Copy*, certified by William Mathew. *Signatory*, Stephen Blizzard. 2 small *pp*. [C.O. 152, 23, *fos*. 131-134d.]

81      Royal appointment of Samuel Horsey as lieut.-general of forces in  
February 24.      South Carolina. *Entry*. 1 *p*. [C.O. 324, 37, *p*. 109.]  
St. James's.

82      Law Officers' opinion on the quit-rents of North Carolina directed to  
February 27.      Council of Trade and Plantations. (1) Copy of deed of 1667 of Lords Proprietors of Carolina authorizing their governor of the county of Albemarle to make grants of land: the law officers are of opinion that this deed was revocable at the pleasure of the Lords Proprietors but not so as to affect grants already made. (2) Copy of deed of 1669 of Lords Proprietors of Carolina authorizing their governor of that part of the province lying to the south and west of Cape Carteret to make grants of land and laying down the procedure to be followed, vizt. survey, oath of fidelity to proprietors, issue of patent in prescribed form: the law officers are of opinion that if the deed includes the county of Albemarle it revokes the previous one. (3) The law officers are of opinion that the not complying with the directions prescribed in (2) is sufficient to render grants void in law unless the grantees have had long and quiet enjoyment. (4) The law officers are of opinion that the quit-rents may be paid in commodities according to the market price thereof and that they should be paid at the general receipt of the province or on the lands in respect of which the rent is paid, but not at other places appointed by the crown. (5) The law officers are of opinion that, notwithstanding clause 83 of the general constitution that Acts of the parliament should be of no force until ratified by the Lords Proprietors, in general old laws which have been in use amongst the people and acquiesced in are not void even though never ratified by the proprietors. *Signed*, D. Ryder, J. Strange. 11½ *pp*. *Endorsed*, Recd. 27 February, Read 1 March 1737/8. [C.O. 5, 295, *fos*. 115-121d.]

<sup>1</sup>MS. 'Rerby'.

83

February 27.  
Savannah.

William Stephens to Trustees for Georgia enclosing duplicate of letter of 19-20 ult., continuation of journal from 17 January exclusive, and the several present states of Frederica, Fort St. Simon, Fort St. Andrew and Darien, in collecting the particulars of which several places I must say I met with more satisfaction than in many things at that part of the province whence I came, where a few turbulent spirits had created so much distraction among the people as very much to disturb the peace of the place and endanger yet worse. But I hope we are growing wiser and that a little more time will reduce those who may have been misled to right reason when they see the persons lightly esteemed whom they took for clever fellows at carrying on the good work of reformation and resigned up their own judgment to such men's conduct, which cannot fail ending in contempt and shame deservedly. Far otherwise at Frederica, there was no appearance of discord but everyone followed his own business quietly, neither was there cause to complain of the least disobedience (as Mr. Horton and the magistrates all assured me) in doing their respective duties to the public, which comes pretty quick about as to the military part, ten men in their turn mounting the guard every fifth night at the fort, which was done with great exactness whilst I was there, and at their coming to relieve they were always exercised in the manual use of their arms for half an hour by an expert person, which Mr. Horton told me was the constant practice without the least marks of discontent, from whence it might be inferred (I thought) what Savannah was in its infancy before they were corrupted with the example of some of their borderers in Carolina and seduced into ill habits and mischievous purposes by a few designing men who, wanting to grasp at power, grew uneasy at their disappointment in it and endeavoured to make others so too.

It is to be wished indeed that there was a greater appearance of cultivating land at Frederica than is yet to be seen, but great allowance may be made in behalf of their plea why they could not attend it the last season as might have been expected, and I am bound in justice to them to say that they show themselves generally in earnest now to retrieve lost time and most of them are doing what they can. I took a pretty deal of care to be as particular as possible in the account I have given of their proceedings in it, great part of which I can vouch for the literal truth of, having spent one whole day and part of another among the lots and the rest I took upon the credit of Mr. Hird (the first constable) who is a very knowing and industrious man together with others whose veracity Mr. Horton assured me I might depend on. I heard but of one complaint during my stay there which indeed was almost universal, and that was their want of a little help, alleging the inability which a single person laboured under in many instances, particularly in moving heavy logs, cross-cutting etc., and wishing they could be credited with some servants among them, which they would pay for within such time as should be required. This put my thoughts onto what I wrote in my last and I beg to add a few words on this occasion. The more to obviate all objections, suppose the master should be obliged to employ such servant in cultivating land wholly and to no other purpose and at such a certain limited time for repayment as should be thought meet; in case of failure therein, suppose master and man were both bound to work gratis a whole year on some public work for the Trust, in a scout-boat for instance, or otherwise, I conceive great good might hereby accrue to the colony and no detriment to the Trust. There seems indeed to be a want of a few more hands there and it appears the more visible from what is to be found at Darien. I must not omit to observe that in conversation with Mr. Horton he told me he found himself under some difficulty in relation to the future delivering out of stores of provision among the people, for the present establishment expired (as he apprehended) on 25 March, now very near, and he was diffident of his own judgment in what manner to proceed afterwards; wherein I could only offer my



sentiments (without being well warranted) that in such an exigence, as it could never be the intention of the Trustees that any person of the colony should really want support, undoubtedly it would be justifiable since there was plenty laid in to deal it out among the people especially to such as laboured to good purpose in the same proportion as was limited by the last orders, till the pleasure of the Trustees was further known. For what I observed further during my progress I refer to journal and papers sent herewith.

The state of the several villages and other settlements in this part of the province shall be my next care to transmit with what expedition I can, and last of all I shall endeavour to send a true account of the improvements that have been made on the several lots belonging to this town, which I am perfecting by degrees and is pretty difficult to find the truth of as well as unsatisfactory among many of them when found, though I have some hopes it will mend a little every day, is another reason why I make it my last work of that sort, for several lately have taken it into their heads to go on again and others to begin where I once had little hopes of any improvements this season, and it is observable that a much better temper seems to have sprung up of late since the decrease of some incendiaries who maintained a continual ferment among the people. Several who were irritated by such declaimers to seek a better living in Carolina are lately returned and others (I hear) returning now they find themselves misled and are convinced they may live better at their old homes. I only wish that under such conviction they may henceforward proceed with the more industry and fixed resolution in cultivation of land. What remains principally an eyesore with me at present is to see the same knot of Scottish landholders in the country now residing here, with one only Englishman joining them, continue undissolved. The names of those of most significance among them I mentioned in my last; they adhere closely together (which is national with them in all countries) and seldom fail meeting at a tavern every night, eight or ten or more, where they always sing the same tune. And whatever strangers come to town some of these soon get acquainted with them, who too often (I fear) go away under bad impressions of the colony. This I conceive would need some remedy worthy your prescribing, but I am in hopes a little time will bring us one from among you who is able to dissipate these and all other public dangers.

Please refer to my notes of 22 and 24 inst.<sup>1</sup> relating to the power which some people among us are fond of assuming to themselves for administering oaths when upon the grand jury. I submit it to your consideration how far it may be possible for a set of ill-designing men, if a number of such should happen to fall together in the same panel, to do mischief under a show of legality and stir up more contention than what has lately happened, and which I am persuaded will die away unless new blown by a few only whose aim is that it should not and who are best pleased when confusion prevails. Your determination on this point is of such moment that I hope we shall not want it by the first opportunity, to guide us in time coming. I am confident that the grand jury which was empanelled this last court were generally well meaning, honest men; nevertheless two or three hotspurs mixing among them persuaded them to believe it was their right to administer oaths and therefore they ought not to give up their claim, which induced them to go to the length they did, but they were wise enough not to be led further into experiments at present. The whole proceedings of the court were carried on with great decency and to good effect (except only where rum came in question which that jury could not be prevailed on to declare any crime in the person who sold it). Mr. Parker, the only magistrate on the bench, showed himself a man of ready apprehension and good judgment, as the recorder also on his part was not wanting in his duty.

<sup>1</sup>In Journal.

Mr. West, a freeholder in this town, being by marriage or otherwise possessed of two lots, has newly sold one of them to a gentleman who lately imported a cargo of provisions from New York in a brig which yet lies in the river, the cargo being sold. His name is Provost, a young man of good appearance and lively spirit who has made divers importations here of the like kind. It is said that he has very good substance and purposes to keep a large store of provisions as well as dry goods and particularly sorted for the Indian trade, all which (it is to be hoped) may prove beneficial to the place, more especially the last; for unless the town is well provided with such (as I doubt it is but poorly at present) Carolina may lay aside all jealousy of our being a dangerous rival. But what gives me further good expectation from him is that he professes a hearty design of improving the land belonging to his lot and has already been giving some orders about it, so that he will show himself in that particular also deserving encouragement. The number of the lot is 16, formerly in possession of Joseph Hughes, deceased; the house in Derby Ward, rented at present by Mr. Purry who also keeps a store near adjoining in partnership with Mr. Mountague, and undoubtedly they take more money than any (I had almost said all) of the stores in town; but I do not hear of any they expend among us nor dare they venture at improving lands in Georgia since they do it so much more to their liking on the other side of the water a few miles up the river.

I fear some indirect practices have been used to wheedle away the family of Camouch (who have the management of the silk) into our neighbourhood of Carolina. It is possible I may come at a more perfect knowledge of it than I can yet warrant, wherefore I forbear mentioning any name. But I hope it is timely stopped and that those people will not leave us for want of being well-encouraged to continue where they are. Mr. Causton assures me they shall not have any reason to complain of that: if the attempt was made by one who is suspected, it might be little expected from thence. But I say no more.

By my journal of 21 and 22 ult. you will see how my last packet went by Capt. Adam Montgomery from Charleston. You may observe how precarious our correspondence is with that place and be the more confirmed (I hope) of how great use such a boat would be as I proposed in my last. I have to wait to send these dispatches till Mr. Causton's are ready. I do not complain of him, having met with no other than courteous treatment from him, but possibly he thinks he ought not to be behindhand with me in writing. But I conceive you intended I should not wait for others, especially in view of your order that I should give notice to the inhabitants to bring their letters to me once a fortnight to be forwarded safely, which may have some effect in time though no letters are yet committed to my care.

I should say something before I close of the long variance betwixt Mr. Causton and Mr. Bradley, but that is of so extensive a nature that I scarce know where to begin nor where it would end. I have made some few observations in my journal on the frequent appeals made to me from one and the other. But it is become now a controversy of such weight that I dare not take upon me to decide it. Mr. Bradley probably will set forth those grievances he complains of himself and lay them before you; and Mr. Causton (I know) will make a full representation of all that he has done in his own vindication. The account he showed me of the total charge he had against Mr. Bradley out of the stores I must say appeared exceeding strange, and I doubt Mr. Bradley's open opposition to him in general during those tumults which lately happened and so much disturbance of the public peace may have whetted Mr. Causton's resentment and provoked him to show he was to expect no favours on his part; and Mr. Causton's expounding your orders relating to the German servants under Mr. Bradley's charge in the manner he does, by allowing them to get other masters for themselves and, so paying for their



passage, get a discharge from their present service, I apprehend he thinks he may be well justified in, since he sees that scarce any of them have been employed by Mr. Bradley in the public work which they were sent to do since they came. But Mr. Bradley complains of this as the highest injustice. I must own the only danger I apprehend from it is lest those poor people whom you expect to be dealt tenderly with should happen to fall into the hands of some private masters who may use less of that than they ought. Otherwise in all appearance the public was not like to receive much benefit of them yet awhile. The town-clock now striking puts me in mind to acquaint you that your orders to set it going were executed a few days since, and it stands near the top of one end of the stores, which is the most eminent and conspicuous place at present in town. *Signed.* 6 small *pp.* *Endorsed,* Arrived 27 May. [C.O. 5, 640, *fos.* 57-60d.]

84

February 27.  
Savannah.

William Stephens to Harman Verelst. The paper relating to our artillery at Savannah was incorrect, it being brought to me so late (I having returned it as imperfect) that I took it upon credit. I found the fire of the ball disproportionate to the bore of the cannon and have now got it rectified by the gunner and send it amended. The part relating to the store of arms and ammunition I see no reason to alter. Mr. Causton lent me a Highland woman for a servant, highly recommended by Capt. Thomson. But she is pregnant, the author being of her own country and brought over half a score servants with him in the same ship. See what luck I have with wenches. My servants have been frequently sick but I hope to see 14 or 15 acres cleared, fenced and planted this season of thick-timbered land. I wish Mr. Bradley in so long time here had improved many acres more; but I would not anticipate what he has to offer in his own justification. I wish it may appear in a better light than I can put it.

We have long been expecting further news of those commanders we were bid to look for. We should be wrong to expect our captain-general before his troops, but Mr. Crockatt is said to have given it out at Charleston that he will not be here until the end of summer. So we cannot tell what to make of it till some ship brings dependable advice; then surely we may expect to know who is governor of Carolina too. *Signed.* P.S. My son begs you to send his letter for Isle of Wight by ordinary post and his other to Mr. Blackford by proper conveyance. The other is from Mr. Smallwood at Frederica. 2½ small *pp.* [C.O. 5, 640, *fos.* 61-62d.]

85

March 1.  
Antigua.

Governor William Mathew to Alured Popple. I have been informed a French *garde de côtes* chased and took close to the town of Old Road in St. Christopher's, since I left that island, an English sloop, and that an English sloop or schooner but just saved herself by getting under the battery. The president of that island has given me no account of it, but by the letter of the governor of St. Eustatius (copy enclosed) there must be some truth in the report and some other seizure made by them of which as yet I know nothing. Their dispensing with their king's edict at pleasure is evident from this letter. I pray you lay these before their lordships. *Duplicate,* original since received. *Signed.* 1 small *p.* *Endorsed,* Recd. 19 April, Read 20 April 1738. *Enclosed,*

85. i. Governor of St. Eustatius to Governor Mathew, St. Eustatius, 20 February 1738. I have received your letter of 5 January and taken notice of the reasons why you cannot reimburse the inhabitants of this island. I have informed my masters who will determine it with the king of Great Britain. As for the account of *Sieur Germa* not being found with the others in French, you have only to look at those I sent you at St. Christophers' and you will find it already in French. You will know what has

happened with two French *guardes de côtes* in your neighbourhood. I do not know why steps are not taken to remove them, but I think that that would help to make your case a strong one in Europe against the French who otherwise will become as bold as the Spaniards. I have no news from Europe. You will already know of the burning of Martinique: it is rumoured that the French have made a decree whereby the English from the north may bring materials for rebuilding destroyed houses. It would be up to you to forbid this. *French. Copy*, certified by William Mathew. *Signatory*, J. Faesch. 1 p. [C.O. 152, 23, fos. 125, 125d., 128-129d.]

86

March 1.  
Savannah.

Thomas Causton to Trustees for Georgia, enclosing account of stores received on arrival of Thomas Stephens on 21 December, as also names of passengers who came with him, among them Isaac Gibbs, being desirous to live near John Amory with whom he seems to have contracted an intimacy, has waived his settling at Abercorn and is settled with Amory on a spot of land lying between Tomo Chachi's land and that intended to be granted to Joseph Watson. As Mr. Gibbs had brought with him sundry goods which he hopes to dispose of to advantage, I have (till such disposal can be) credited him with necessities for himself and family, being not otherwise in his power so to do; whereby he is enabled and has begun to cultivate his land. Mr. Amory and he are both well pleased with their situation, but Samuel Wathey did not arrive here of which I have taken notice in my journal. The servants sent by the *Three Sisters* were put into employ according to the enclosed lists to wait the arrival of Gen. Oglethorpe according to your orders, whereby you will perceive I have literally executed them. But I think it my duty at the same time to acquaint you that had not Mr. Bradley received your orders to demand them of me, exclusive of those which you particularly ordered to be employed at the store, crane, gardens, sawmill, and for Capt. Gascoigne, I should not have put them under his care; whereby it would have been in my power to have made other savings than there is at present any probability of making. My reasons for making this observation to you are as follows: Mr. Bradley has not nor does regard the cultivation of your farms pursuant to his contract or proposals to Mr. Oglethorpe in any degree but contrarywise is putting you to immense and unnecessary charges by daily purchasing materials, hiring workmen, receiving provisions and clothing for servants and self under pretence of your service and at the same time applying them to his own particular benefit whilst he lets his own servants to hire. That these expenses may particularly appear I herewith enclose his account under such heads as might appear to you most intelligible, in which I should have been more particular could I in any shape have induced him to have joined with me in an explanation. But instead thereof I am daily pestered with accounts of his clamours in all his conversations, reflecting upon you for owing him 5 or 600*l.* sterling and upon me for not paying it, with many other things of much the same nature, the particulars of which (as far as I could from time to time recollect) are set forth in my journal. This behaviour of his is the more grievous to me and intolerable with regard to you by reason I have constantly complied with many of his requests in compassion to stories which he has from time to time related concerning the circumstances of his family. I am sorry to say that after all this extravagant and insufferable behaviour he has never employed nor suffered anyone of the German families to work on any of our farms but has employed them wholly on a 5-acre lot belonging to one of his sons, sometimes pretending that he wants roads to be made to them and at others that he wants more farms to be set out, although there are not 20 acres of the first farm yet cultivated. Concerning this particular he has made great complaints against Mr. Jones the surveyor, but as Mr. Jones removes these complaints from time to time by doing everything he



requires (of that kind) he is now with[out] such an excuse.

The rumours concerning Spanish claims and intentions against Georgia continue to be very industriously spread here both by speaking, writing and printing. But the measures which H.M. has taken by giving his commission to Mr. Oglethorpe and ordering a regiment to protect his subjects in their possessions and the daily expectation of the arrival of part of them under a lieutenant-colonel convinces the people that the colony will be effectually supported. As the obtaining this protection is an instance of your unwearied endeavours for the people's safety, the invidious doubts (by the colony's enemies) must consequently cease and the people with one consent allow that their civil privileges and liberties will be also preserved and not fail so to behave themselves towards our protectors as to demonstrate the sense we have of the obligations we are under to H.M. for his particular care.

Mr. Robert Hay being gone to Carolina, I have given him notice that his grant is arrived. Messrs. Crockatt and Seaman of Charleston have sent me (pursuant to your orders) ten pieces of osnabrigs containing 1,070 yards for which I have given them a receipt which is set forth (among other things) in the invoice mentioned to be received 31 January. Capt. Daubuz arrived here 16 January and delivered me your orders dated 12 October, as also the several stores as mentioned in the enclosed account to which is subjoined the passengers' names who came by said ship. I received your orders by Capt. Ayres dated 5 November last by way of Charleston on 31 January together with the several particular stores etc. according to the enclosed account. Agreeable to these I took the first opportunity of acquainting Mr. Bradley that I had received particular instructions relating to the German servants which I was ordered to communicate to them, so desired him to let me know when it would be most convenient for those under his care to come to me. He seemed to set a time, but as they did not come accordingly (by what means I know not) I was prevented from telling them my instructions till I sent for them by another hand which was not till 8 February. On which occasion they were well pleased and very thankful for your care towards them. They desired some little additions to be made to their stipulated allowances which, in consideration of the continuance of their diligence and that they might be easy in your service and to raise their desire of settling in the colony, I complied with as is particularly mentioned in my journal. Since this, some of the said servants have received of me their passage money according to Messrs. Hope's receipts. Several families of them have (as they allege) through Bradley's ill treatment procured themselves masters who have answered to you in account for their respective passages, and have made fresh agreements more to their satisfaction; the particulars of these alterations (when the six weeks is expired) shall be transmitted. Immediately on receipt of these last mentioned orders I acquainted Mr. Burton that I was directed to assign over the indenture of John Evan to him on his paying me 6*l.* 5*s.* sterling for your use. He at first seemed doubtful whether he would trouble himself about it, but he is now endeavouring to raise it. I have acquainted Mr. West of his promissory note but his present circumstances are in such a situation that it is with great difficulties that I can preserve him from being torn to pieces by others; and on this occasion I must repeat that your particular directions for regulating credit and suing for debts which you promised by your secretary in his letter dated 7 March 1736/7 are much wanted, daily instances occurring that many people to gratify their revenge for trifling injuries seek each other's destruction, particulars of which will appear in my journal.

Mr. William Harris died here in August last leaving behind him a widow and one child. As it will appear in my journal that I have as occasion offered resented his ill conduct here and in compassion to his necessities forgave it, I would certainly have dismissed him from all other further services (according to your commands) had he been

alive when they arrived; not will I at any time countenance the least ill behaviour in any-one.

As I shall close all establishments to 25 March next I shall diligently observe your orders with regard to Frederica and Darien by allowing the quantity of flour, rice or corn, as is therein mentioned. George Sauffleaver, who by the recommendation of Mr. Bolzius has undertook to deliver this at your office with his own hands, is an inhabitant of Ebenezer, and as Mr. Bolzius informs intends to proceed to Germany with letters from all the inhabitants to their respective friends advising them of their happy situation and inviting others to apply to you that they might come to them. Vessels from the northward frequently arrive here with provisions, and as it might be necessary as well to keep the market low as to give encouragement for their coming when they may be more wanted, I have hitherto bought such parts of their loading (with regard to common food) which they cannot sell among the people. Upon these terms they readily tarry, being well contented with my certificate to their accounts for payment. By this means the colony is past danger of wanting necessities, the establishments are in some measure discharged by the issues, and a saving will evidently appear by the usual advance of the prices. Though this occasions much trouble and renders accounts voluminous, it supplies those deficiencies which will appear on the making up the several heads of limited expenses till you can complete your orders and ascertain your several establishments. *Signed. 3 pp. [C.O. 5, 640, fols. 63-64d.]*

87

March 1.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received two tubs containing 1000 vine plants, benefaction of Charles King of Brompton for Georgia. Ald. Cater resigned from his office of Common Councilman.

Read, a letter of resignation as Common Councilman dated 1 March from Rev. Dr. Bundy. 2 pp. [C.O. 5, 687, pp. 58-59.]

88

March 2.  
Whitehall.

Council of Trade and Plantations to the King. On 7 October 1736 Chaloner Jackson, collector of Customs in the Bahama Islands, laid before us a petition containing several grievous complaints against

Governor Fitzwilliam together with several affidavits in support thereof, whereupon we sent copies thereof to the governor requiring his answer. On 28 September last we received the answer together with such affidavits and other proofs as he thought fit to transmit for his justification. The said petition and answer are hereunto annexed.

Some time after, the agents of the governor and the petitioner were heard by counsel on the matter of the said complaints. We shall not trouble you with the detail, but it appears to us that the governor has been concerned in several branches of foreign trade and that there is also very strong reason to believe that he has been concerned in keeping shop for retail trade which was carried on for his profit in another person's name within the island of New Providence to the great discouragement of other traders; that he beat the petitioner for refusing to give a certificate that certain goods had been legally imported into the Bahamas whereas it appears to us by a certificate from your Custom house here that no such goods were legally exported or had any cocket from the port of London from whence the ship in which they were carried was cleared; that the goods in question were originally charged to have been imported on the governor's account but a prosecution was afterwards set on foot against the collector in the name of one Keowen for refusing such certificate and judgment with excessive damages obtained thereupon, to the ruin of the petitioner, though it does not appear to us that Keowen has any property in the said goods; that by reason of this ill-usage the collector was unable any longer to do his duty there and obliged to fly to England for refuge and redress; that in a cause



depending between you and one Lawford and Petty for the forfeiture of a navigation bond, there happened a difference in opinion between the chief justice and the assistant judge (who was likewise Naval Officer), the chief justice declaring the said bond ought to be delivered up because the person prosecuted had produced a certificate from the Custom house here that the condition of the said bond had been complied with, whereupon the court was adjourned for some days and the chief justice dismissed from his office, *pendente lite*, chiefly for discountenancing suits upon navigation bonds, though it seems to us that his opinion on this occasion was both just and reasonable. These are some of the most material complaints contained in Mr. Jackson's petition which in our opinion are sufficiently supported. There remain likewise several other particulars upon which we can form no judgment from the uncertain and contradictory evidence laid before us. *Entry. Signatories*, Monson, T. Pelham, M. Bladen, R. Plumer. 4½ pp. [C.O. 24, 1, pp. 320-325.]

89

[March 2.]

Attorney-General and Solicitor-General to Council of Trade and Plantations. We have considered the two Acts of North Carolina, the annexed answer to certain queries, and clause 83 of the general constitution, and are of opinion that the Acts are not binding on the crown or people. *Signed*, D. Ryder, J. Strange. 1 p. *Endorsed*, Recd., Read 22 March 1737/8. *Enclosed*,

89. i. Act additional to Act entitled Staple Commodities Rated, passed in 1723.

*Copy*. 2 pp.

89. ii. Act entitled Staple Commodities Rated, passed or rather revised in 1715/6.

*Copy*. 2½ pp.

89. iii. Answer to queries on these Acts. *Copy*, of No. 108. 2½ pp. [C.O. 5, 295, fos.

124-131d.]

90

March 3.  
Whitehall.

Duke of Newcastle to Council of Trade and Plantations, directing that drafts of a commission and instructions should be prepared for Samuel Horsey, appointed governor of South Carolina. H.M. having some time since appointed James Oglethorpe to be general and commander-in-chief in South Carolina and Georgia, and Samuel Horsey being appointed to command the forces in South Carolina under Mr. Oglethorpe as lieutenant-general, clauses are to be inserted proper for this purpose. *Signed*, Holles Newcastle. 1 p. *Endorsed*, Recd., Read 6 March 1737/8. [C.O. 5, 366, fos. 44-45d.]

91

March 3.  
Admiralty Office.

Josiah Burchett to Thomas Hill. H.M.S. *Chatham* under command of Capt Philip Vanbrugh being designed this year for Newfoundland and the *Guarland*, Capt. Watson, for Canso, such heads of enquiry as the Commissioners of Trade and Plantations shall think proper should be sent hither as soon as conveniently may be. *Signed*. 1 p. *Endorsed*, Recd., Read 6 March 1737/8. [C.O. 194, 10, fos. 85, 85d, 88, 88d.]

92

March 7.

Council of Trade and Plantations to Duke of Newcastle, enclosing draft of general instructions and those relating to Acts of Trade for Governor Alured Popple of Bermuda Islands, with representation thereon. *Entry. Signatories*, Edward Ashe, R. Plumer, Monson, M. Bladen. 1 p. *Enclosed*,

92. i. 7 March. Same to the King. We have made no alteration from the instructions to Capt. Pitt, but we have added all such general instructions given to the other governors in America since that time. We have inserted the names of nine councillors instead of twelve, not being at present well-informed of the characters of persons

proper to supply the three vacancies. As soon as we receive a list from the governor of persons qualified to serve we shall recommend them to you. *Entry. Signatories, as covering letter. 2 pp.*

92. ii. Draft of instructions for Governor Popple. *Entry. 80 pp. [C.O. 38, 8, pp. 212-294; original of covering letter in C.O. 37, 26, fo. 207.]*

93

March 7.

Francis Fane to Council of Trade and Plantations, replying to enquiry whether by H.M.'s 36th instruction to Governor Belcher, the lieutenant-governor of New Hampshire during the absence of the governor from New Hampshire, though he is in his other government of Massachusetts, is entitled to a moiety of the salary, perquisites and emoluments which should otherwise become due to the governor. I am very clearly of the opinion that the lieutenant-governor, during the absence of the governor in Massachusetts or upon the service particularly mentioned in the said instruction, will not be so entitled. But I am as clear in my opinion that if there had been no alteration in Governor Belcher's instruction from that formerly given to Governor Burnet, the lieutenant-governor of New Hampshire would have been entitled to a moiety of the governor's salary during his absence anywhere unless upon the service particularly mentioned in the said instruction. *Signed. 1 p. Endorsed, Recd. 7 March, Read 8 March 1737/8. [C.O. 5, 880, fos. 232, 232d, 237, 237d.]*

94

March 7.  
St. James's.

Royal warrant to Lieutenant-Governor William Gooch to appoint Edward Barradal attorney-general of Virginia in the room of John Clayton, deceased. *Entry. 1½ pp. [C.O. 324, 50, pp. 113-114.]*

95

March 8.  
St. James's.

Order of King in Council on report of Committee for Plantation Affairs, directing that the ordnance and stores mentioned in the enclosed should be sent to Jamaica as soon as conveniently may be, the Duke of Argyle to give the necessary directions. The expense thereof is to be an article in the next estimate prepared by the Board of Ordnance for Parliament. A store-keeper is to be appointed to have care of the said ordnance. *Copy, certified by James Vernon. 2 pp. Endorsed, Recd. 18 May, Read 31 May 1738. Enclosed,*

95. i. List of iron ordnance, ordnance stores and implements necessary for the security and defence of Jamaica, with costs. Principal items: 52 iron ordnance, 24-pounders, 2,600*l.*; carriage, trucks, beds, etc. for the same, 650*l.*; 1,000 muskets with bayonets, 1,000 cartouch boxes and 1,000 pistols, 2,420*l.* 16*s.* 8*d.*; tools for opening roads and building barracks, 845*l.*; freight, 936*l.* Total: 8,206*l.* 3*s.* 8*d.* 3 *pp.* [C.O. 137, 22, fos. 188-191*d.*]

96

March 8.  
St. James's.

Same, directing the governor of Jamaica to appoint the store-keeper mentioned in No. 95, to be sent to Jamaica, to issue such stores only upon the signed order of the governor, and to be accountable to the Master-General and principal officers of H.M.'s ordnance. *Copy, certified by James Vernon. 1½ pp. Endorsed, Recd. 18 May, Read 31 May 1738. [C.O. 137, 22, fos. 187, 187*d.*, 192, 192*d.*]*

97

March 8.  
St. James's.

Same, approving report from Committee of Council that, in the dispute about English and French ships seized, the Earl of Waldegrave should be directed to propose mutual restitution of the *Scipio* and *Fleurion*; and that security taken by Governor Mathew for the *Fortune* should be delivered up. *Signed, James Vernon. Seal. 2 pp. Endorsed, Copy sent to E. Waldegrave, 12 April 1738. [C.O. 152, 40, fos. 312-313.; another copy at fos. 314-315*d.*]*



98

March 8.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Lord Carpenter, Lord Talbot and Ald. Heathcote resigned from their offices of Common Councilmen. 2 pp. [C.O. 5, 687, pp. 60-61.]

99

March 8.  
Palace Court.

Account showing how money granted in last session of Parliament to Trustees for Georgia has been applied. Applied in America in provisions, tools, etc. 9,200*l.* 1*s.* 7*d.* Applied in America for defence, roads and fortifications, 4,667*l.* Applied in England for costs of sending over settlers, office charges, etc. 6,132*l.* 18*s.* 5*d.* Total: 20,000*l.* Entry. Signatory, Harman Verelst. 1 p. [C.O. 5, 670, p. 339.]

100

March 8.

List of papers relating to applications to H.M. for warlike stores for the Plantations in America so far as they have passed through the Council of Trade and Plantations.

Extract of letter from Lieut.-Governor Pitt of Bermuda to Council of Trade and Plantations of 30 April 1729 complaining of want of ammunition and stores of war. Sent to Duke of Newcastle 16 July 1729.

Letter from Council of Trade to Duke of Newcastle of 20 February 1729/30 recommending supply of warlike stores for South Carolina.

Memorial of 27 July 1731 from Mr. Yeamans, agent for Antigua, to Council of Trade praying for stores of war for a fort on that island. Laid before the king in representation of 31 August 1731.

Memorial of 16 December 1731 from agent of St. Christopher's for supply of cannon and stores of war for that island. Laid before H.M. in representation of 22 December 1731.

Memorial of 28 November 1733 from agent of Antigua for supply of cannon shot for that island. Laid before H.M. in representation of 11 December 1733.

Extract of memorial of 7 March 1733/4 from agents of Barbados *inter alia* desiring stores of war. Extract of letter from Lord Howe, Governor of Barbados, to Council of Trade of 6 January 1733/4 praying for supply of arms and other stores of war. Laid before H.M. in representation of 8 March 1733/4.

Memorial of 9 April 1734 from agents of Antigua and St. Christopher's about want of stores of war etc. in those islands. Laid before H.M. in representation of 11 April 1734.

Memorial of 7 December 1737 from Governor Popple of Bermuda relating to want of ordnance stores there. Laid before H.M. in representation of 8 October 1737. Entry. *Annotated*, 9 March 1737/8. This list and the papers therein mentioned were put into the hands of Sir Conyers Darcy (Comptroller) by Samuel Gellibrand to be presented to the House of Commons pursuant to their address of 9 February together with some other papers from the Council Office, Duke of Newcastle's Office and the Office of Ordnance upon the same subject by William Sharpe. 2 pp. [C.O. 324, 12, pp. 237-238; copy in C.O. 5, 5, fos. 138-139d.]

101

[March 9<sup>th</sup>]

List of applications made to H.M. for warlike stores from the Plantations in America received by the Duke of Newcastle and account how far they have been granted.

Copy of representation of Governor Hunter of Jamaica and list of warlike stores ordered to be sent there, 13 May 1729.

List of warlike stores ordered to be sent to the Bahamas, 24 April 1729, in lieu of

<sup>1</sup>Commons Journal, XXIII, pp. 26, 73-74.

those ordered there 26 September 1728, Governor Woods Rogers representing that these would be most serviceable.

Extract of letter from Council of Trade and Plantations to Duke of Newcastle, 16 July 1729, enclosing extract of letter from governor of Bermuda, 30 April 1729, representing want of warlike stores there. Memorandum: no directions were given on this, the particulars not being specified.

Note:—A letter from the Council of Trade and Plantations of 20 February 1729/30 recommending a supply of warlike stores for South Carolina was received and sent to the Council Office, copy of which is laid before the House by the Board of Trade.

Copy of letter from Secretary at War to Duke of Newcastle, 13 June 1734, for arms and accoutrements for six independent companies at Jamaica. H.M.'s warrant to the Master-General of Ordnance in pursuance thereof was signed 5 July 1734.

Copy of letter from Secretary at War to Duke of Newcastle, 10 July 1734, for tents for eight independent companies at Jamaica. H.M.'s warrant to Master-General of Ordnance in pursuance thereof was signed 2 July 1734.

Copy of letter from same to same, 9 October 1735, enclosing extract of Mr. Popple's memorial for arms for the independent company in Providence Island. H.M.'s warrant to Master-General of Ordnance in pursuance thereof was signed 31 October 1735.

Copy of letter from same to same, 9 October 1735, for arms and accoutrements for the two old independent companies at Jamaica. H.M.'s warrant to Master-General of Ordnance in pursuance thereof was signed 24 September 1736.

Copy of letter from same to same, 25 October 1737, for warlike stores for a regiment to be raised under command of James Oglethorpe. H.M.'s warrant to Master-General of Ordnance in pursuance thereof was signed 7 November 1737. 3½ pp. [C.O. 5, 5, fos. 147-151d.]

## 102

March 9.

David Dunbar to [?Thomas Hill], enclosing memorandum to be communicated to my Lords. Perhaps some useful hints may be taken from this. I have no copy of it and request, be it approved or not, I may not be named upon the occasion. Would my Lords give me leave to lay before them an appeal from the court of Vice-Admiralty in New England from a decree clearing nine men for a trespass against H.M. in the woods, when one man for the like trespass committed at the same time and proved by the very same witnesses was by the same judge condemned and paid his fine? I have as many papers as a porter could carry to prove oppositions and abuses I received in my duty as surveyor. Both governor and judge encouraged them and caused my frequent complaints home. My deputy and I are a great expense to the government and no officer without being supported can do any service. My complaints are too many to be attended to, which is my misfortune. I made Mr. Belcher offers in writing a little before I came from New England that if he would yield me my right which was just as my lords have judged it I would withdraw all complaints and say I was satisfied. I have his written refusal to show. *Signed*. P.S. I presume if H.M. approves their lordships' representation the moiety of the salary will come to me of course, though I dare say the governor would not readily comply with any order he dislikes: he has given proofs of his acting so. 2 small pp. *Endorsed*, Recd., Read 10 March 1737/8. *Enclosed*,

102. i. Memorandum of David Dunbar. A governor of Massachusetts could easily get his salary settled and get the general court to give up the county of York (formerly called the province of Maine) and other lands. The governor of Massachusetts is captain-general of the militia of Rhode Island. The government there is in the hands of the middling and meaner people who through jealousy exclude the rich men. An active governor might influence Rhode Island and Connecticut to give up



their charters. He could promote members of the Church of England to civil and military office in New England. He might prevail on the general court to lay a tax of one penny per acre on unimproved lands. It is very possible for a governor to prevail for a surrender of the Massachusetts charter. New England is a very litigious country: stamp duties there would raise a considerable sum. Church of England clergy should be provided for. If ever America is thought deserving of a bishop an ingenuous and learned man could work a very great change among the people. *Signed.* 3 pp. [C.O. 5, 880, fos. 233-236d.]

**103** Commission to James Oglethorpe to be General and Commander-in-  
[March 9] Chief in South Carolina and Georgia with necessary powers. *Copy.*  
*Signatory*, Holles Newcastle. 2 pp. *Endorsed*, Recd. 9 March from the secretary's office,  
Read 9 March 1737/8. [C.O. 5, 366, fos. 46-47d.]

**104** Order of Committee of Council for Plantation Affairs referring the  
March 13 following back to Council of Trade and Plantations, for examination of  
Whitehall. Mr. Simond, a London merchant, and such other witnesses and papers  
as Mr. Zouberbuhler may produce. *Signed*, James Vernon. *Seal.* 1½ pp. *Endorsed*, Recd. 20  
March, Read 21 March 1737/8. *Enclosed*,

104. i. Report of Council of Trade and Plantations on petition of Sebastian  
Zouberbuhler; 20 January 1737/8. *Copy*, of No. 32. 2½ pp. [C.O. 5, 366, fos. 50-53d.]

**105** Same, referring fourteen Acts passed in Massachusetts in June and  
March 13. July 1737 to Council of Trade and Plantations for examination and  
Whitehall. report. *Seal. Signed*, James Vernon. ½ p. *Endorsed*, Recd, Read 22 March  
1737/8. Sent to Mr. Fane, 24 March 1737/8. Recd. back, 3 August 1738. No objection  
to any of them. *Enclosed*,

105. i. Schedule of titles of said Acts certified by J. Belcher and sealed by J.  
Willard, secretary. 2½ pp.

105. ii. Copies of said Acts. Titles are: Acts for apportioning tax of 44,930*l.* 1*s.*  
3*d.*; for granting impost and tunnage on shipping; for granting excise on wines and  
spirits; for granting 1,000*l.* in bills of credit for support of the governor; to prevent  
nuisances in Merrimac River; for supplying treasury with 20,000*l.* in bills of credit;  
to exempt Quakers from taxes for support of ministers; for trade with Eastern and  
Western Indians; in addition to Act to prevent coparceners etc. from committing  
waste on lands in common; in addition to Act for relief of idiots; to prevent mischief  
by dogs; for making 2,625*l.* in small bills; to prevent deceit in casks. *Printed.* 46 pp.  
[C.O. 5, 880, fos. 238-267d.]

**106** Memorial of Sebastian Zouberbuhler to Council of Trade and Planta-  
March 14. tions. Upon the late Col. Purry's importing some of his people into  
London. South Carolina, although the then governor issued a proclamation  
forbidding all persons to set out lands within six miles round the township of Purrys-  
burgh, several persons by virtue of former grants not only surveyed and ran out several  
parcels of land within the district but kept possession thereof until a repeated order from  
H.M. in Council was signified to them, being very nearly two years, whereby many new-  
comers were reduced to very great poverty and some others obliged to withdraw from  
Purrysburgh for want of having their country lots or family right assigned to them. The  
memorialist hopes for an instruction to the governor to prevent the like inconveniences  
to the township of New Windsor where 200 of his countrymen under the conduct of his

father are actually settled; for an instruction that the government of South Carolina comply with the resolution of the governor and council of June 1735, confirmed 17 July 1736, in relation to the provisions for one year for 100 families, now fixed to consist of 600 persons, besides tools, utensils and cattle; and likewise that the time for his importing the full number of 600 may be prolonged to two years from October next. And as the council of South Carolina have published a declaration dated 3 March 1736/7 in some of their Gazettes that their sinking fund falls short of providing for the settlers already arrived in that province and also that the fund will expire in August 1738 after which there is no provision for their support, memorialist offers it for consideration whether the continuing of the sinking fund arising out of the duty on negroes, liquor etc. for a few years longer will not be advisable to prevent the discouragement of many poor people. *Signed. 2 pp. Endorsed, Recd., Read 14 March 1737/8. [C.O. 5, 366, fos. 48-49d.]*

**107** Memorial of Capt. William Taverner, late surveyor of Newfoundland,  
March 14. to Council of Trade and Plantations, seeking a reward for services in 1714 in discovering frauds in the salt fish trade amounting to 70-80,000*l.* a year to the prejudice of the public revenue. *Signed. 1 p. Endorsed, Recd., Read 14 March 1737/8. [C.O. 194, 10, fos. 86-87d.]*

**108** Henry McCulloh's answer to queries about two Acts for rating com-  
[March 14.] modities in North Carolina. (1) The two Acts were passed about 25 years ago. (2) The quitrents reserved to the Lords Proprietors were payable in sterling money except in Albemarle County, but it has been the practice in many cases to receive them in commodities. As to contracts between private persons there was very little order observed till of late, the people of that province being generally deemed a set of outlaws. (3) It does not appear that any quitrents have been paid on the foot of this Act. The proprietors' officers accepted whatever the people tendered them. The proprietors had notice of this practice but do not seem ever to have formally approved it nor to have sanctioned the accounts of their officers. (4) These two laws were never confirmed by the proprietors. Only six of the laws now subsisting ever were confirmed by them. Most of the present laws are full of inconsistencies and some plainly calculated to serve fraudulent purposes. There is no complete body of laws, many of the copies not agreeing. *1½ pp. Endorsed, Recd. 14 March, Read 15 March 1737/8. [C.O. 5, 295, fos. 122-123d.]*

**109** General abstract of account of Trustees for Georgia from 9 June 1737  
March 15. to 15 March following, to be laid before them at their anniversary  
Palace Court. meeting on 16 March 1737/8. Balance remaining: 2,482*l.* to answer sola bills sent to Georgia; 4,556*l.* 4*s.* 2*d.* for general and special purposes. Depending on several persons in Georgia, 13,800*l.* 8*s.* 9½*d.* [*The accounts are commented on and explained at length.*]

List of grantees of land in Georgia since last anniversary meeting: William Stephens (500 acres), Thomas Upton (150), William Horton and others in trust for religious uses (300), Robert Hay (500), John Amory (150), Lieut.-Col. Cochran (500), Major William Cook (500), George Preston jnr. (500), trustees to be named by Gen. Oglethorpe for soldiers of his regiment to have 5 acres each (3,000), Capt. William Wood (500), with covenants for land for 66 servants in the said grants at 20 acres each (1,320).

Number of persons sent to Georgia on the charity. From 9 June 1733 to 9 June 1737: 1,076 of whom 302 foreigners, 774 British. Since 9 June 1737: 227 of whom 152 foreigners, 75 British. Total since 9 June 1733: 1,303 of whom 842 males, 461 females. Number gone at their own expense: 242, besides wives and children; 40 servants in



Georgia for public service; and many settlers from Carolina and other parts. *Entry*. 6 pp. [C.O. 5, 670, pp. 340-345.]

**110** Minutes of meeting of Trustees for Georgia. General abstract of  
March 16. account of Trustees from 9 June 1737 to 15 March 1737/8 with observa-  
St. Bride's. tions thereon was read, approved and ordered to be entered. The  
Trustees elected five Common Councilmen in the room of those who had resigned, vizt.  
Robert Tracy, Christopher Tower, Henry Archer, John Page and Rev. Samuel Smith.  
The Trustees elected as new Trustees Sir Harry Gough and Sir Roger Burgoigne. 1½ pp.  
[C.O. 5, 687, pp. 62-63.]

**111** Minutes of Common Council of Georgia. Read grant of 500 acres of  
March 16. land to James Carteret. Seal to be affixed to the same, secretary to  
Palace Court. countersign and register with auditor of the plantations. 1 p. [C.O. 5,  
690, p. 129.]

**112** Royal warrant to Lieut.-Governor William Gooch for appointment of  
March 17. Edward Barradal as attorney general in Virginia in the room of John  
St. James's. Clayton, deceased. *Entry* 1 p. [C.O. 324, 37, p. 110.]

**113** Council of Trade and Plantations to the King. Neither we nor Mr.  
March 17. Fane have any objection against an Act passed in Virginia in Septem-  
Whitehall. ber 1736 for confirming and better securing the titles to land in the  
Northern Neck held under Lord Fairfax. *Entry*. *Signatories*, Monson, James Brudenell,  
Edward Ashe, R. Plumer. 1 p. [C.O. 5, 1366, p. 289.]

**114** Martin Bladen to Duke of Newcastle. I was desired by Mr. Pelham to  
March 18. send you the enclosed paper relative to the cutting logwood in the Bay  
Hanover Square. of Campeachy. It is certainly one of those things we can never give up  
and yet I am afraid we have no title to it. The merchants say we have, and in representa-  
tions to be communicated to the court of Spain, as a commissioner of trade I say so too.  
Under these difficulties how nice a consideration must it be to come to resolutions in a  
House of Commons upon the subject of our rights in trade. *Signed*. 1½ small pp. *Enclosed*,  
114. i. Madrid, 10/22 May 1672. Sir William Godolphin to Earl of Arlington.  
The English have no right to cut Campeachy wood in Yucatan. The Spaniards  
occupy this territory though perhaps not all of it. The English should cut the wood  
discreetly and underhand and the king should connive not authorise. *Copy*. 4½ pp.  
[C.O. 137, 48, fols. 41-46d.]

**115** Andrew Millar to Harman Verelst. I received a letter lately from my  
March 18. brother Robert from Jamaica dated 9 December 1737 wherein he  
London. writes he was to sail for Vera Cruz in two or three days to go to Mexico.  
He is still very weak but hopes the sea air will do him service; he proposes on his return  
to Jamaica to spend six months there in the service of his constituents for the lost time  
his sickness has occasioned. Payment of his Christmas half-year will oblige. *Signed*. P.S.  
Lord Petre has paid his share of the half-year due Christmas two months ago. 1 small p.  
[C.O. 5, 640, fols. 65-66.]

**116** List of papers received by Council of Trade and Plantations relating to  
March 21. losses sustained by H.M.'s subjects by Spanish depredations in Europe  
or America to midsummer 1737 which have not already been laid before the House. (1)

Governor Fitzwilliam's letter of 20 August 1735 with deposition and protest by Samuel Lawford [See *Cal. S.P.Col.*, 1735-36, No. 79]. (2) Governor Mathew's letter of 17 January 1736/7 with deposition of William Fisher [See *Ibid.*, 1737, Nos. 20, 201]. (3) Governor Mathew's letter of 14 June 1737 [See *Ibid.*, No. 339]. *Noted*: Presented to House of Commons by Mr. Pelham. *Entry*. 1 p. [C.O. 324, 12, p. 239.]

117  
March 22.  
Antigua.

John Douncker to Duke of Newcastle protesting at the trial by 'Bill of a Taylor' [attainder] of Benjamin Johnson and William *alias* Billy Johnson for alleged complicity in the slave-conspiracy. Benjamin Johnson sued James Hanson and recovered a sum of money from him the year before the disturbance. It is against the laws of God that a heathen should be against a Christian and against the laws of men that a slave should be against a free man, so that our island cries out. I beg you will do all that lies in your power to save their lives. *Illiterate. Signed. 2 pp.* [C.O. 152, 44, *fos.* 132-133d.]

118  
March 22.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received by Dr. Hales, 21/. benefaction for missionaries in Georgia. Received, two brass cocks for salting of animals whole, benefaction of Dr. Hales. Oath of office as Common Councilman was administered to Henry Archer, Robert Tracy and Rev. Samuel Smith. Sealed, grant of 500 acres of land to James Carteret. Read, letter from William Stephens dated 20, 21, 23 December 1737. 1 p. [C.O. 5, 687, p. 64.]

119  
March 22.

Grant to James Carteret of the parish of St. George, Hanover-square, of 500 acres of land in Georgia. *Entry*.  $\frac{1}{4}$  p. [C.O. 5, 670, p. 347.]

120  
March 23.

David Dunbar to Council of Trade and Plantations renewing complaints against Governor Belcher. I applied to you for copy of Mr. Fane's opinion on the 36th instruction to Governor Belcher about the division of the salary for the government of New Hampshire between the governor and lieutenant-governor in his absence. I apprehended you were pleased to allow I should have a copy of it but I was only permitted to see it; and as Mr. Fane says that I have no right to expect or demand any part of the said salary occasioned by an alteration in the said governor's 36th instruction from what was given to former governors, I hope you will enquire how such alteration was made for I cannot conceive it was ever intended that a lieutenant-governor who is chief in the province eleven months in twelve should have nothing to subsist on. There is no precedent for it in H.M.'s dominions. However if it be your opinion that I should have nothing for the trouble and unavoidable expense attending a public station I shall submit. I have made application to Sir Robert Walpole for expenses and disbursements at the new settlements near Frederick's Fort and if I did not misapprehend him he bade me petition H.M., which I have not done fearing I might have mistaken him and thereby disoblige the ministry. I have been complaining for more than seven years, and yet without redress. Enclosed heads of papers can be laid before the council if required. *Signed. 1½ pp. Endorsed, Recd., Read 23 March 1737/8. Enclosed,*

120. i. Titles of 29 papers concerning the grievances of Col. Dunbar in his offices of lieutenant-governor of New Hampshire and surveyor-general of H.M.'s woods.  $1\frac{1}{2}$  pp.

120. ii. List of 10 other papers relating to the misgovernment of New England to lay before Council of Trade and Plantations.  $\frac{1}{2}$  p. [C.O. 5, 880, *fos.* 268-271d.]



121

March 24.  
Whitehall.

Thomas Hill to Francis Fane, enclosing 14 Acts passed in Massachusetts in 1737 for his opinion in point of law, vizt. Acts for apportioning taxes of 44,930*l.* 1*s.* 3*d.*, 3,825*l.* 8*s.* (for payments to representatives at General Court of 1736) and 165*l.* (fine on towns for not sending a representative); for granting duties on shipping; for an excise on wines, spirits, lemons and limes; for granting 1,000*l.* in bills of credit for support of the governor; for payment of members of council and representatives for serving in General Court; to prevent nuisances in Merrimac river; for supplying the treasury with 20,000*l.* bills of credit for discharging the public debts; to exempt Quakers from taxes in support of ministers; for regulating trade with Indians; concerning co-parceners, joint-tenants and tenants in common; concerning idiots; to prevent mischief by dogs and to prevent the keeping of any dogs on the islands of Martha's Vineyard and Nantucket; for making 2,625*l.* in small bills to be exchanged for larger bills; to prevent deceit in the gage of casks. *Entry.* 5 *pp.* [C.O. 5, 917, *fos.* 106*d*–108*d.*]

122

March 25.

Paper from Col. Samuel Horsey. The president of the council of South Carolina has intimated that the assembly think it necessary to continue the duty on negroes for a further term of years, the present duty expiring in August 1738, it being granted for seven years from 20 August 1731. It may therefore be necessary to give an instruction to the new governor empowering him to pass an Act for continuing the duty upon negroes for a further term, this appearing to be a principal branch of the public revenue, there having been imported in 1735, as by a printed account from Charleston, 2,907 negroes which according to the present Act of assembly pay 1*l.* 10*s.* a head, in all amounting to 4,360*l.* 10*s.* sterling. But in this instruction to the governor he may be restrained from passing such an Act unless several appropriations of the money be specified therein, one of which must necessarily be an establishment for the fort at Charleston at present known by the name of Johnson's Fort which during the time there was no governor in South Carolina has been much neglected though it is the main defence and protection of that harbour and the shipping in it. The following establishment is offered as necessary to make that fort of real use: captain of the fort at 8*s.* per diem is per annum, 146*l.*; lieutenant at 3*s.* 10*d.* per diem, 69*l.* 19*s.* 2*d.*; ensign at 2*s.* 10*d.* per diem, 51*l.* 14*s.* 2*d.*; surgeon at 4*s.* per diem, 73*l.*; one master gunner at 3*s.* per diem, 54*l.* 15*s.*; two gunners at 2*s.* per diem each, 73*l.*; four matrosses or labourers at 1*s.* 6*d.* per diem, 109*l.* 10*s.*; storekeeper at 2*s.* per diem, 36*l.* 10*s.* Total, 614*l.* 8*s.* 4*d.* This with the addition of some contingencies for fire and candle etc. cannot amount to less than 650*l.* in all for the fort. Other estimates for the support of the government of that province will be considered in proper time to be provided for out of the negro duty. 1 *p.* *Endorsed*, Recd. from Col. Horsey, 28 March 1738. [C.O. 5, 388, *fos.* 172–173*d.*]

123

March 27.  
Whitehall.

Duke of Newcastle to Council of Trade and Plantations, enclosing copy of an address of House of Commons of 22nd inst. desiring that copies of representations made to the Council by the council and assembly of Jamaica relating to the capture of English vessels by the Spaniards since 1731 should be laid before them. It is H.M.'s pleasure that you comply therewith. *Signed*, Holles Newcastle. 1 *p.* *Endorsed*, Recd., Read 27 March 1738. *Enclosed*,

123. i. The resolution of the House of Commons of 22 March 1737/8 referred to in covering letter. *Copy.* ½ *p.* [C.O. 137, 22, *fos.* 172–174*d.*]

124

March 29.  
Palace Court.

Minutes of Common Council of Georgia. Resolved that it be an instruction to the committee of correspondence to enquire how the servants in Georgia for the use of the Trust are employed, how the

silkwinders have been employed, how the directions relating to mulberry plants have been complied with; and to consider and report on the conduct of Noble Jones, the surveyor. Read a report from the committee for accounts; resolved that the following advertisement be signed by the secretary and published in the *London Gazette* and *South Carolina Gazette* and affixed on the door of the storehouses at Savannah and Frederica: The Trustees for establishing the colony of Georgia in America out of a due regard to public credit do hereby give notice that they have resolved that all expenses which the Trustees have already ordered or shall hereafter order to be made in America for the use of the said colony shall be defrayed and paid for in Georgia in sola bills of exchange only under the seal of the said Trustees. And they do further give notice that no person whatsoever has any authority from them or in their name or on their account to purchase or receive any cargoes or provisions, stores or necessities, or to contract any debt or to create any expense whatsoever in America. And that no persons may be ignorant thereof, the Trustees have ordered that this notice shall be affixed and remain on the door of the storehouse at Savannah and on the door of the storehouse at Frederica in the province of Georgia in America and shall be published in the *London Gazette* and *South Carolina Gazette*. 2½ pp. [C.O. 5, 690, pp. 130-132.]

125

March 29.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Oath of office as Common Councilman was administered to Christopher Tower. Received receipt from the Bank for 21*l.* paid in at the last board. ¾ p. [C.O. 5, 687,

p. 65.]

126

March 29.  
Georgia.

Isaac Young to Trustees for Georgia. I arrived in Georgia 21 August 1736 on board Capt. Thomson with my wife, seven children and a servant, all at my own expense. I applied very often for my grant of 100 acres and was at last pitched on by Mr. Causton to settle a village. After 16 days search Mr. Aglionby and I found a site about six miles from Savannah, but after all this trouble we could only have 50 acres each. My family and I fell sick, one child dying: Mr. Causton would supply me with nothing, I being indebted to the stores 25*l.* sterling. I am now working as a bricklayer to repay Mr. Robert Williams who came to our assistance and paid this debt. A few days ago I took possession of a tract of land but cannot tell whether it will be confirmed to me. We are reduced very low but with a little help could get a livelihood. *Signed*. 1½ pp. *Endorsed*, Send to Mr. Stephens to enquire into the allegations of the petition, whether the ground is fit for his planting or no; acquaint him with the negligence of the surveyors and that he should call upon them to do their duty. [C.O. 5, 640, fos. 69-70d.]

127

March 29.  
Savannah.

William Stephens to Trustees for Georgia. I wrote you 27 ult. by Mr. George St. Leaver. Mr. Cooksey, one of our freeholders, is going in all haste for England to settle some affairs and return again and I take this opportunity to acquaint you that I have the pleasure to see the scene changed here to a more agreeable prospect than what was before us for some months past, and instead of contention about public affairs all has the appearance of peace and quiet, so that it is to be hoped we shall grow wiser in time, though I wish I could say there were not yet a few left who seem brooding over discontent and willing to hatch more mischief. But whatever dark views they may have, I see plainly the body of the people are pretty well tired in following such dangerous guides, and at this juncture instead of caballing busy in planting, which they are so much in earnest about that from what we already see it is computed they will far exceed any year foregoing; and if it grows to a prosperous



season the produce may probably go a great way toward supporting this part of the colony. This indeed far surpasses any expectation of mine some time ago and demonstrates (I think) that if the same people had been let alone to themselves and not seduced to murmur and grow tumultuous when they should have been about their honest labour they would have done much more. I would rather choose to forebear saying more on this head till I see planting over, and then at winding up the bottom it will appear plain what is done, which I shall then lay before you.

Not having any lands of my own run out yet, I have employed my servants in clearing the 5-acre lot and about 15 acres of land belonging to Ben Ball, a son-in-law of mine. There is a parcel of 500 acres which Mr. Watson sat down upon some years ago; very little has been or is likely to be done to improve it. I do not find that he ever had any grant of it. It is convenient for this town, being about five miles up this river, so that if I was given it I could always be available to execute your instructions. *Signed.* 2 small pp. [C.O. 5, 640, fo. 71, 71d.]

128

March 29.  
Savannah.

Same to Harman Verelst. The want of advice in so long time (at least I have had none) leaves us very much in the dark. News of when our general purposes to visit this colony and when the forces may be expected would animate the well-disposed and force the others to draw in their horns. The talk at Charleston is of a new governor there and the name of our friend seems quite forgotten. *Signed.* P.S. Just as I was going to seal my letter I received yours of 13 and 14 December, which brings such joyful news as were almost sufficient to make a cripple dance. God speed them well, honest men, and send them safe into these regions. I cannot shut up without observing what a distance of time there is between 13 December and 29 March. Where can this stoppage be? Surely it is at Charleston. Mr. Causton is at present pretty much indisposed in a sort of intermitting fever which took him about four or five days since; but I hope it is wearing off. W.S. 2 small pp. [C.O. 5, 640, fos. 73-74d.]

129

March 29.  
Savannah.

William Bradley to Harman Verelst. This comes by Mr. Cooksey who intends to bring back some servants for himself and eight or ten for me to put in place of those that are dead. I have written to Mr. Mosely to provide them for me and the particular persons I want. I desire you will pay the charges if you have any money of mine in your hands; if not, that you will beg the favour of the Trustees to pay it and charge it to my account. I should be glad to have an answer to my last letter and to know if you have received any money for me at the same time. *Signed.* P.S. Pray let Mr. Mosely have your answer and he will provide them for me by any ship that comes this way if you will see the charges paid there. 1 p. [C.O. 5, 640, fos. 67-68d.]

130

[March 29.]

Memorial of George Clarke, junior, secretary of New York province, to Council of Trade and Plantations, praying to be made of the council in that province *vice* Francis Harrison who is willing to retire. *Signed.* 1 p. *Endorsed,* Recd. 29 March, Read 12 April 1738. *Enclosed,*

130. i. London, 29 March 1738. Francis Harrison to Council of Trade and Plantations desiring leave to surrender his seat in the council of New York. *Signed.* 1 small p. *Endorsed,* as covering letter. [C.O. 5, 1059, fos. 37-40d.]

131

March 30.  
Whitehall.

Duke of Newcastle to Council of Trade and Plantations. The king having appointed Philip Vanbrugh, commander of H.M.S. *Chatham*, to be governor of Newfoundland, drafts of his commission and instruc-

tions are to be prepared. *Signed*, Holles Newcastle. 1 p. *Endorsed*, Recd. 30 March, Read 11 April 1738. [C.O. 194, 10, *fos.* 89, 89d, 92, 92d.]

132

March 31.  
Antigua.

Governor William Mathew to Council of Trade and Plantations. In mine of 1 March I mentioned an English sloop being taken close under the shore of St. Christopher's by a French *garde de côtes*. I have since received from Capt. Knowles, commander of H.M.S. *Diamond* from St. Eustatius, the declaration of the owner of that sloop, attested copy enclosed. I cannot say that I am convinced Mr. Dominic Lynch had not been carrying on an illicit trade with the French islands and I am well assured he has been an old incorrigible offender that way: I believe it is his only employment. But to chase him from under the shore of St. Christopher's and to take him even under our own guns, this I believe you will think less justifiable than if he had been caught in the fact under the French shores. I am since told the governor of St. Eustatius has sent to the French islands the Frenchman Lynch brought in thither. When the French formerly rose upon and retook from the English a French seizure and carried her into St. Eustatius, those English were not thus sent back to us but by the government of St. Eustatius were sent prisoners to St. Martin's and delivered to the French governor there to be hanged, as they intended, as pirates. This is the partial treatment the English have met with here from their neighbours, even from St. Eustatius.

George Thomas in his way to his government of Pennsylvania touched here for a month or two on his private concerns. I never heard from him, anyhow on his arrival, than that at a second meeting of the council after he came hither he came to meet and told me he came to sit as a councillor, denying he had accepted the government of Pennsylvania. I found him not disposed to allow of any reasons for not admitting him, and, as there was not a council without him to communicate my reasons to, therefore I only ordered a minute to be made that I had refused to admit his sitting as a councillor there for reasons I should lay before H.M., and of this I ordered him a copy. My reasons are these: his acceptance of his government I take to be a removal to another station, and he produced no direction to me to admit him now or at any time when he should please to come hither. I was convinced he himself thought in England he had lost his seat in H.M.'s council here by becoming a proprietary governor, and for that reason he had not obtained or at least did not produce to me H.M.'s order for continuing to him (or that he even to the last had applied for it) the year's licence of absence he carried from me from hence and which once expired is a forfeiture of his seat in council without H.M.'s [order] as by my 14th instruction. There happened immediately after this an opportunity for laying these reasons through you before H.M., but I was apprehensive he intended to apply again for admission with written reasons for it. I therefore deferred accounting thus for my refusal by that conveyance. But I was disappointed: I have heard no further from him and this is the first opportunity of writing for Europe since. I hope my way of thinking in this affair will meet with H.M.'s approbation. I have no public papers to transmit. *Duplicate*, original not Recd. *Signed*. 4 small pp. *Enclosed*,

132. i. Declaration of Dominick Lynch, merchant of Barbados, made on board H.M.S. *Diamond* in St. Eustatius road, 18 February 1737/8, before Charles Knowles. At 2 p.m. on 19 January 1737/8 about three leagues off St. Christopher's, he saw a sloop coming off Basse Terre and crowding all sail. Apprehending a Spaniard or rover, he made for Sandy Point but the sloop (which proved to be a French *garde de côtes*) cut him off, fired on him and forced him to strike, although then within gunshot of Charles Fort. The Frenchman took the master, Samuel Clay, and three English sailors aboard and put a crew on the English vessel with orders to follow to Guadeloupe. But in the night Lynch with four slaves and one white recovered the ship



by force and got into St. Eustatius where he now is. *Copy*, certified by William Mathew. 1 p. *Endorsed*, Recd., Read 30 May 1738. [C.O. 152, 23, *fos.* 142-144d.]

133

April 2.

James Oglethorpe to [Duke of Newcastle]. Mr. Crow acquainted me that you desired to know what forts there were in the province under my command and what had been demolished. There is Fort Moor, Fort Prince George, Johnson's Fort, Fort Argyle and several others. There was also Fort King George, or Fort St. George, which lay upon that part of the Alatomaha nearest to the river which the Spaniards call St. John's. This fort the Spaniards would willingly have us believe is upon the River St. John's but it is on the Alatomaha and not on the River St. John's, though it is not far from it. The Spaniards remonstrated to me that keeping a garrison in that fort gave them a jealousy in respect to their navigation of the River St. John's and that if I would withdraw the garrison from thence and pull down the palisades, it would take away all jealousy and they would answer that it should not be possessed by any Spaniards. Upon these assurances, to take away all jealousies and secure the continuance of friendship with the Spaniards, upon articles signed with the Governor and Council of War of Augustine, I did withdraw that garrison and take away the palisades etc. The Spaniards, though they pretend to all Carolina as far as  $33^{\circ} 30'$  N. latitude, have no colour of right to anything beyond the River St. John's except it should be to a place called St. Francis de Pupa which is to the west of the river and not to the north of it. They cannot pretend to anything that they were not possessed of in 1670, and the English were not only possessed of those countries long before 1670, when Sir Francis Drake erected Fort St. George in the reign of Queen Elizabeth and took Augustine, but pursuant to the charter of Charles II granted to the Lords Proprietors, Governor Sale in 1668 was in possession of Carolina in their name as far as the bounds of that charter; and Fort St. George and consequently all to the north of it lies within the bounds of that charter. So that subjects under the crown of England were possessed of all that part of Carolina called Georgia at the time of the treaty of 1670; and the king's independent company did not withdraw from Fort King George on the Alatomaha till 1727 when they withdrew by reason of a scarcity of provisions. On H.M.'s being informed that the company had deserted that post, he by his instructions to Robert Johnson, Governor of South Carolina, ordered them to return to their post; and in 1734/5 H.M.'s orders were obeyed and the company returned to the Alatomaha; and all the time the company was withdrawn, the Indians, vassals to H.M., continued in possession of the same and the Spaniards never pretended nor dared to attempt any possession of those grounds. I thought it was proper to explain to you the matter of this disputed, and now demolished, fort since it is what you desired chiefly to be informed of. The Spaniards in America never pretended to any other forts unless their general pretension to all Carolina as far as  $33\frac{1}{2}^{\circ}$  may be called claiming of the forts. *Signed.*  $3\frac{1}{2}$  small pp. *Endorsed*, Copy sent to Mr. Keene, 12 April 1738. [C.O. 5, 654, *fos.* 131-132d.]

134

April 3.  
New York.

Lieut.-Governor George Clarke to Duke of Newcastle, acknowledging letter of 30 November to Lord Delawarr, H.M.'s instruction relating to the form of prayer for the royal family which I have obeyed, and the papers relating to Burrows, master of the sloop *Happy*. One Verplank, a merchant of this place, who freighted the sloop, some time ago came to me and acquainted me that he was informed by private letters that Burrows had not behaved as he ought at Sallee. Burrows being here, I told Mr. Verplank that I would send a messenger to bring him before me in council, and I desired Mr. Verplank to attend. Burrows was brought but Verplank did not come, not being willing as I was informed to show himself in a

matter whereof he had no proof. I examined Burrows, however, in council, copy of whose examination I send you. The council were of opinion that as no proofs appeared against Burrows he ought to be discharged. However, judging there was some foul play, I directed the judge of the Admiralty to have him taken up and to oblige him to give security to answer. He did so, and I have now directed the advocate-general to file a libel against him. It is thought Burrows will not come hither again in haste, regardless of his sureties. He is a Bermudian and properly belongs to that island, though he often freights here.

I thank you for your protection to my son and implore the same for myself. For though the difficulties I struggle with and my sufferings have been great, yet I dare not pretend to any merit that may hope for your notice. I hope for your protection that after the heat and fatigues of the day I may enjoy some fruits of my labour. I had the melancholy news of her Majesty's death in the public prints long before I received your letter, and have not only put my own family in mourning but signified my intention of so doing beforehand that the town might do the like. I wish I could say my example was universally followed. I am sure there never was an occasion which administered more real cause of grief to a people who admire virtue, love our constitution, are zealously attached to the Protestant succession, heartily profess the religion of our country and abhor the thought of despotic power. But yet there are some, insensible of the greatness of this cruel stroke of fate, who had that indifference for it (to say no more of them) that, though they were well able and rank themselves with the foremost of the principal people of the town, yet did not put themselves in mourning, pretending that they had made themselves the joke of the town for doing it on the late king's death, though now they have made themselves the contempt of it. I would not trouble you with this if one of them whom I have formerly recommended to be of the council was not in that small number, Mr. John Moare, a merchant of this town; but that circumstances provoke me and I should think myself answerable if I was silent under it. For my own part I never was so shocked as on this melancholy occasion, my heart and thoughts are full of it, as I believe is every good subject's, and if anything can atone for my impertinence it must be the distraction of my mind. *Signed. 4 pp. Endorsed, Recd. 31 May. Enclosed,*

134. i. Examination of Edward Burrows, master of the sloop *Happy* of Bermuda, taken at a council held at Fort George, New York, 26 August 1737, in the presence of the lieutenant-governor and the gentlemen of the council. The examinant says that in September last Mr. Gulian Ver Plank of this city freighted his sloop for Cadiz with a loading of wheat flour, that he proceeded to Cadiz and thence went to Sallee. He stayed at Cadiz 30 or 31 days and there delivered his flour to Mr. Smith, one of the merchants there, to whom he was consigned. Mr. Smith ordered him to shift his wheat into bags that were before stowed in bulk and proceed with it to Sallee, which was sent consigned to Mr. Brouillet a merchant there. He delivered the wheat to Mr. Brouillet who on the sloop's arrival sent boats to take it ashore and sent a note to this examinant to come ashore. As soon as he landed, Mr. Brouillet told him he was sorry to see him there; presently upon that, twenty soldiers came and carried him with an interpreter before the bashaw who was sitting at some distance upon a rock near the beach, and when brought before him he was told by the interpreter that the bashaw wanted this examinant's vessel, on which the examinant desired the interpreter on what account. He was told the vessel was wanted on account of the new king of the Mequinos to go to Saphy to fetch some goods that were taken in a vessel commanded by one Captain Maxwell from Amsterdam. The examinant answered that his vessel was not capable of going that voyage, but it was replied to him that if he would not go they would take and send his vessel on that voyage and keep him there. Upon



which the English consul and the other merchants there advised him rather to go the voyage and take care of his vessel than be kept confined there. The interpreter told this examinant that the bashaw said he should have for his service 200 dollars, but the consul and the other merchants there told him he must not expect a penny. When he went on board his vessel, he found about twenty-two Moors and a small quantity of sole leather. Being arrived at Saphy, the Moors sent his boat ashore with a pilot and the next day boats fetched off the goods and all the Moors except a guard of three. The ship was then loaded with oil, butter, skins and almonds, and, twenty Moors having come aboard, the examinant was ordered to go to Sallee. During the voyage the Moors turned him out of his cabin and told him the vessel was their's. On arrival at Sallee, all the Moors but three went ashore, leaving the examinant at anchor for eleven days, in which time no boat came to him. Being short of water, he went to Gibraltar. He remained there three days and then returned to Sallee and lay five days in sight of the town. A boat which he sent off to enquire why the Moors and the goods were not fetched off was driven back by high seas. He then went back to Gibraltar with the consent of the three Moors who were merchants, to whom he offered to deliver the goods aboard provided they would pay him for hire of the sloop. At Gibraltar they demanded the goods but refused to pay the hire. Before the judge-advocate and Mr. Lynch, a merchant there, he offered to exchange securities, but the Moors refused and absconded. Mr. Lynch not being willing to take the goods, the examinant sailed to St. Eustatius and sold all that were not spoiled to the value of about 900 pieces-of-eight. Joseph Hunt, mate, John Young and William Graham, foremastmen, who went on this voyage, were left at Bermuda. *Copy*, certified by Frederick Morrice, Deputy Clerk of Council. 2½ pp. [C.O. 5, 1094, fos. 46-49d.]

135

April 6.  
St. James's.

Order of King in Council approving report of Committee for Plantation Affairs that Bermuda be supplied with 50 barrels of powder, 50 skeins of match and 10 reams of cartridge at a cost of 195*l.* 2*s.* 8*d.* which is to be an article in the next estimate of the Ordnance Board. *Copy*, certified by Temple Stanyan. 1¼ pp. *Endorsed*, Recd. 18 May, Read 31 May 1738. *Enclosed*,

135. i. Value of stores proposed for Bermuda. *Signed*, L. Smelt, clerk of Ordnance. ½ p. [C.O. 37, 13, fos. 46-48d.]

136

April 6.  
St. James's.

Same, approving draft of instructions for Alured Popple, governor of the Bermudas. *Copy*, certified by Temple Stanyan. 2 pp. *Endorsed*, Recd. 18 May, Read 31 May 1738. [C.O. 37, 13, fos. 50, 50d, 53, 53d. Draft of instructions and instructions relating to trade and navigation in C.O. 5, 197, fos. 17-58d.]

137

April 10.

Captain James Wimble, lately master and owner of the *Rebecca*, to Council of Trade and Plantations. The said ship was lost in a hurricane at Rum Key after being detained by Governor Woods Rogers at New Providence and then sent on government service, first to Exuma, then to Abico, and finally to Rum Key where she was lost. A copy of letter dated at London, 3 April 1738, from Chaloner Jackson and a copy of a certificate sworn 28 March 1738 in London by Richard Clarke that Capt. Wimble was obliged by hypothecation bond to proceed on a voyage from Boston to Cape Fair in North Carolina, are produced as supporting evidence. The loss of the ship was due to her being sent during the hurricane months among the Moroon Islands. *Signed*. 3½ pp. *Endorsed*, Recd. 11 April, Read 13 April 1738. [C.O. 23, 4, fos. 49-50d.]

**138** Lieut.-Governor Lawrence Armstrong to Council of Trade and  
 April 10. Plantations, transmitting copies of letter and petition from Mr. Le  
 Annapolis Royal. Mercier, a French minister in Boston (who calls himself an Englishman  
 by naturalization) in behalf of himself and associates, together with copies of the advice  
 and opinion of the council thereon. *Signed*. 1 small *p*. *Endorsed*, Recd. from King Gould,  
 Esq., Recd. 13 February, Read 16 February 1738/9. *Enclosed*,

138. i. Andrew Le Mercier, pastor of the French church at Boston, to Lieut.-  
 Governor Armstrong; Boston, 6 March 1737/8. I have been told that no governor of  
 Nova Scotia can give grants of lands except the grantees oblige themselves (according  
 to H.M.'s instructions) to pay at least a penny sterling an acre yearly for the said lands.  
 But the nature of the soil of the Isle of Sables, which for the most part is nothing but a  
 barren sand, is such that I believe nobody will undertake it on these terms. Therefore I  
 desire you only (if you can do no more) to secure unto me the property of the cattle  
 and other things which I have put upon the island and to encourage the settling of it  
 by me until H.M.'s pleasure be known about it and that you would be pleased to  
 recommend my undertaking to H.M. if needful. I will freely pay any charges such as  
 secretary's fees or others. *Copy*, attested by W. Shirreff, secretary. P.S. I am an  
 Englishman by naturalization. 1 *p*.

138. ii. Proceedings of Council of Nova Scotia; Annapolis Royal, 1 April 1738.  
 Agreed that the request of A. Le Mercier be recommended to the Secretary of State  
 and the Council of Trade and Plantations, and that in the meantime a proclamation be  
 made out forbidding all persons from killing or destroying any of the petitioner's  
 cattle on the island. *Copy*, attested by L. Armstrong, W. Shirreff, secretary. 1 *p*.

138. iii. Petition of Andrew Le Mercier for himself and associates to Lieut.-  
 Governor Armstrong, praying leave to settle the Isle of Sables and protection for  
 their cattle already there. Such settlement would be a great advantage to persons  
 shipwrecked on or near that island. *Copy*, attested by W. Shirreff, secretary. 1 *p*. [C.O.  
 217, 8, *fos.* 40-43*d*.]

**139** Deed of surrender to Trustees for Georgia by Peter and Katherine  
 April 11. Gordon of house and land at Savannah, proposing Ann and Susanna,  
 daughters of Major William Cook, to be joint proprietors thereof. *Entry*.  $\frac{3}{4}$  *p*. [C.O.5,  
 670, *p*. 346.]

**140** Thomas Hill to Attorney-General Dudley Ryder. The Council of  
 April 11. Trade and Plantations have under their consideration the draft of a  
 Whitehall. commission for Capt. Vanbrugh to be governor of Newfoundland so  
 long as he shall continue upon that station. Commissions of this nature have always had  
 in them power to constitute J.P.s but have not yet extended to the erecting of courts of  
 judicature or commissions of oyer and terminer as is usual in the commissions of all other  
 governors of H.M.'s Plantations. So that there remains at present no other trial for  
 felonies committed in that island but that provided by 13th section of 25th chapter of the  
 Act to encourage the trade to Newfoundland passed in 10 and 11 William III. But as the  
 provision made by that Act has been found ineffectual, their lordships desire the same may  
 be remedied by powers in the present commission to the governor for erecting courts of  
 oyer and terminer in the said island. But being doubtful whether the prerogative may not  
 be restrained by the words of the aforesaid Act in this particular, they desire to talk with  
 you and the Solicitor-General upon that subject the first day you are at leisure to call at  
 this office. *Entry*. 2 *pp*. *Note*: like letter to Solicitor-General. [C.O. 195, 7, *pp*. 407-9.]



141

April 12.  
Whitehall.

Council of Trade and Plantations to the King, proposing that George Clarke junior be appointed one of the council of New York in the room of Francis Harrison, resigned. *Entry. Signatories*, Monson, James Brudenell, Arthur Croft, R. Plumer, R. Herbert. 1 p. [C.O. 5, 1126, fo. 34, 34d.]

142

April 11.  
Whitehall.

Same to Duke of Newcastle enclosing draft of commission for Samuel Horsey to be governor of South Carolina and lieutenant-general of the forces in South Carolina and Georgia, with representation thereon. *Entry. Signatories*, R. Plumer, Monson, R. Herbert, M. Bladen. 1 p. *Enclosed*,

142. i. Same to the King, 11 April 1738. The draft of Samuel Horsey's commission is in the usual form save only in such particulars as by your commands were to be altered in order to preserve Mr. Oglethorpe's military command. The necessary instructions will be prepared with all possible dispatch. *Entry. Signatories*, as covering letter. 1½ pp. [C.O. 5, 410, pp. 253-255; draft in C.O. 5, 381, fos. 264-266d.]

143

April 12.  
Palace Court.

Minutes of Common Council of Georgia. Read letter of 19 January 1737/8 from William Stephens [see No. 29]; ordered that the secretary write to him and insert in the letter the clause in the printed terms offered to persons going at their own expense relating to females and acquaint him that the Trustees think proper to adhere to covenants made in their grants and that they will take the forfeit of grants of those who neglect to cultivate their lands. Read petition of Abraham De Lyon of Savannah for a loan of 200*l.* to help with the cultivation of vines; referred the same to committee of accounts. Ordered that the drugs Mr. Hawkins has sent an invoice of be bought and sent to Frederica; that 90 tons of flintstones, 2 tons of Swedish iron, 2 tons of Siberia iron and 2 cwt. of steel be bought for the churches at Georgia. Read report from committee of accounts that the provisions from Philadelphia may be properly paid out of the money for maintenance of servants, amounting to 847*l.* 5*s.* 8½*d.*; ordered that it be so paid. Ordered that 45*l.* 19*s.* be paid for the mace for Savannah. The board being acquainted that the *Three Sisters* which delivered 120½ heads of servants in Georgia is arrived in England; ordered that 200*l.* be paid to Mr. Wragg on account of the said passengers till the extraordinary charge for want of a pilot at Tybee can be settled, and that the account of the said charge be referred to committee of accounts. Certified account for 504*l.* 9*s.* 11*d.* to Robert Ellis for provisions and firestones, dated 1 February 1737/8, was brought for payment; ordered that it be returned. Ordered that 2*l.* 10*s.* be paid to Mrs. Mary Cooper for rent of house in Savannah. Read petition from Peter Gordon and wife surrendering house and lot at Savannah and proposing Ann and Susannah Cook, daughters of Major William Cook, and their heirs male to be joint proprietors thereof; ordered that the house and lot be so granted. Resolved that 1,100*l.* be paid to Ald. Heathcote on account. Signed draft on the Bank for 1,850*l.* being the said 1,100*l.* and 750*l.* for payment of sola bills. Resolved that letters and papers received this day from Georgia be referred to committee of correspondence. 4½ pp. [C.O. 5, 690, pp. 133-137.]

144

April 12.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Read letters from Thomas Hawkins dated 28 November 1737, from same dated 10 January 1737/8, from William Stephens dated 19 January 1737/8, from Thomas Causton dated 14 January 1737/8, from Mrs. Martha Causton dated 16 January 1737/8, and from Thomas Hird to Col. Oglethorpe dated 5 December 1737. 1½ pp. [C.O. 5, 687, pp. 66-67.]

**145** Translation of part of a letter dated at Charleston, South Carolina, 9 April 1737, written in High German by Rev. Bartholomew Zouberbuhler to his son Sebastian Zouberbuhler in London. After a great deal of trouble the government of South Carolina resolved on 2 April to assist the people with three petti-agoes for transporting them and their baggage hence to New Windsor, but that in case they wanted more the people should provide them at their own charges. Whereupon the people, who absolutely refused to be at the charge of a sufficient number of petti-agoes and boats, came to me and told me that, as I had promised them that they should be carried to the place free of all charges, so they desired that I might provide them with a sufficient number of petti-agoes and boats. Thus I found myself obliged to hire one petti-ago over and above those provided by the government, for which I am to pay one pistole per diem; as also two trading boats to carry them and their baggage from Purrysburgh up the river to New Windsor, for the petti-agoes cannot go higher than Purrysburgh. All which expenses fell upon my account. And therefore you must see to find ways and means for discharging the said expenses.

Translation of part of a letter written by same hand at Charleston, 4 December 1737. The people employed four full weeks in going hence to Purrysburgh and seventeen days more thence to New Windsor, just at the time of the heavy rains and afterwards of the excessive succeeding heats, which being added to their hard labour has been the occasion of a great deal of sickness among them and even of deaths, so that forty of them died in a very short time. *Certified*, a true translation by Sebastian Zouberbuhler.  $1\frac{1}{2}$  pp. *Endorsed*, Recd. from Mr. Sebastian Zouberbuhler. Recd., Read 12 April 1738. [C.O. 5, 366, fos. 54-55d.]

**146** Captain James Gascoigne to Harman Verelst, acknowledging letter of 13 December. I received the enclosed (last night) from Mr. Causton which came to him by express from Carolina. Being just cleaned and fitted I was designed to cruise off Savannah to meet the transports but have now changed my resolution (on this advice) thinking it most for the service to continue at this place to guard and keep open the southern passages and shall use all possible means to get the best intelligence from the southward, and to that purpose sail tomorrow. The depositions of some seamen belonging to the vessel wherein Lyford was only confirming the enclosed advice, I omit it. *Signed*. 1 p. *Enclosed*.

146. i. [Wigg and Woodward<sup>1</sup>] to Thomas Causton; Beaufort, 6 April 1738. This day Capt. William Lyford arrived here. On 3rd inst. he was off the bar at St. Augustine and saw four sail at anchor, one seemed a ship of great force. They showed no colours and boats were coming and going from the town as if loading them. Capt. Lyford believes them to be a Spanish fleet bound to Georgia or this province. Copies of his and the affidavits of two of the men are sent to you, the originals to Charleston. *Copy*, certified by James Gascoigne. 1 p. [C.O. 5, 640, fos. 75-76.]

**147** John Martin Bolzious to Harman Verelst acknowledging letter of 14 April 1738. December last and the resolution of the Trustees to increase the charges of building houses and a school house to 30*l*. sterling and allowing the last Salzburghers cattle, hogs, poultry and other necessities which Mr. Causton will procure as soon as possible. We will never be wanting to beseech God for rewarding the Trustees sevenfold. We and our Salzburghers live in a very good health, being now very busy in planting their cleared ground, amounting to about 2000 acres of which they hope

<sup>1</sup>See No. 157.



better crops than last year. *Signed.* 3 small *pp.* *Endorsed,* Recd. 13 December 1738. [C.O. 5, 640, *fos.* 79-80d.]

148

April 13.  
Whitehall.

Council of Trade and Plantations to the King. We have prepared draft of a commission for Philip Vanbrugh, commander of *Chatham*, appointed governor and commander-in-chief in and over Newfoundland. In 10 and 11 William III an Act was passed to encourage the trade to Newfoundland wherein provision was made for the trial of all capital crimes (committed in Newfoundland) in England, since the passing of which Act some offenders have been brought over and usually tried at Exeter. But it has been frequently represented to this board by several of your former commodores and particularly by Commodore Lee in 1736 that such criminals cannot be brought over to England without a very great expense to you and the public and that their conviction is attended with many difficulties because the evidences in such cases do always endeavour to avoid being carried over to England, whereby they lose one year's fishery and likewise be subject to other considerable expenses and be obliged to return back to Newfoundland at their own cost. You have already in the first year of your reign granted a commission empowering the commodores on the Newfoundland station with several others for the time being to try criminals for all offences committed on the high seas or in any creek, harbour, bay etc. within the Admiralty jurisdiction, and also by commissions to the several commodores since 1729 to empower them to constitute and appoint J.P.s with other necessary officers and ministers for the better administration of justice and keeping the peace and quiet of the island and to hold quarter sessions according to the custom of England: all which powers have been put in practice without being attended with any inconvenience but are not sufficient to remedy the evils at present complained of. We therefore apprehend that criminals should be tried in Newfoundland as well for capital offences committed on shore as in a creek or harbour, and have therefore had the advice of your attorney- and solicitor-general who are of opinion that there is nothing in the aforesaid Act which does abridge your power of erecting a court or courts for trying capital offences in Newfoundland.

Whereupon we had added a clause in the same form with that given to the governors of your other Plantations in America empowering Mr. Vanbrugh to appoint judges and commissioners of oyer and terminer for trying all criminal causes and awarding execution thereupon; but as this power might be too much to be entrusted in the hands of judges and juries very little skilled in such proceedings we have added also the 67th article to his instructions whereby he is required to allow but one court of oyer and terminer in a year and that only when he or the commander-in-chief is resident on the place, and not to suffer any person to be executed pursuant to the sentence of such court until a report of such trial be made to you in council and your pleasure signified thereon, by which caution we are of opinion the great inconveniences attending the present method of bringing such criminals to trial will be removed and all the ill consequences that might be apprehended from the ignorance or partiality of juries then prevented, a sufficient time being thereby allowed for any person condemned to make application to you.

Commodore Lee in his answers to several enquiries relating to the trade and fishery of Newfoundland having informed us of an evil custom arisen in the curing of fish there, which does not appear to be provided against by the Act for encouraging the trade to that island, we have added the 68th article in order to find out some proper means to put a stop to an evil so very detrimental to that trade. These are all the alterations from those given to former governors of Newfoundland. *Copy. Signatories,* Monson, M. Bladen, Edward Ashe, R. Plumer. 6 *pp.* *Enclosed,*

148. i. 13 April 1738. Extract of Governor Vanbrugh's commission granting the

powers mentioned in the above report. [*Marginal notes indicating words finally omitted by the Council.*] 3 pp.

148. ii. 25 May 1738. Order of Council on the above report. [See No. 240] *Copy*. 3 pp. [C.O. 194, 21, fos. 7-13b.]

## 149

April 13.  
Whitehall.

Same to Duke of Newcastle enclosing draft of commission and instructions for Philip Vanbrugh to be governor of Newfoundland together with representation thereon. *Entry*. *Signatories*, M. Bladen, Arthur Croft, R. Plumer, R. Herbert. 1 p. *Enclosed*,

149. i. Same to King, 13 April 1738. *Entry*, of No. 148. 6½ pp.

149. ii. Draft commission to Philip Vanbrugh, Governor of Newfoundland. *Entry*. 11 pp. [*with note of words left out by the Council.*]

149. iii. Draft instructions to the same. *Entry*. 50 pp. [C.O. 195, 7, pp. 409-477.]

## 150

April 14.  
Whitehall.

Same to same, transmitting draft of general instructions as also of those relating to Acts of Trade for Lewis Morris, governor of New Jersey, together with representation thereon. *Entry*. *Signatories*, Monson, M. Bladen, James Brudenell, R. Plumer, R. Herbert. 1 p. *Enclosed*,

150. i. Same to King, 14 April 1738. The following are the alterations. In the first article we have inserted as usual the names of twelve councillors, vizt. John Hamilton, John Wells, John Reading, Cornelius Van Horn, William Provost, John Schuyler, Thomas Farmer, John Rodman, Richard Smith, Robert Lettice Hooper, Robert Hunter Morris, and Fenwick Lyell. Of this number the first five are actually in the exercise of that function, the remaining seven are recommended to us as persons well qualified. We have omitted the name of James Alexander who stands upon the old list of councillors because we have been informed he is a person not proper to serve in that station and represented the same to you in our report of 28 August 1735.

We have omitted the 28th article for laying as high duties on all goods imported in or exported from New Jersey as from New York, it being contrary to the general tenour of your instructions to all your other governors in America to lay any duties on British goods or shipping.

We have omitted the words 'New York' in the 31st article relating to the provision for the lieutenant-governor in the absence of the governor, as likewise the proviso at the end of it which relates to the governor's going into Connecticut to regulate the militia. When both New York and New Jersey were under one governor this might be necessary but not at present. We have omitted the 57th article relating to the affirmation of Quakers, that being provided for by an Act passed in this province in 1727/8. We have likewise omitted the 91st article relating to the trial of pirates, Mr. Morris not being as yet appointed a commissioner for that purpose. *Entry*. *Signatories*, as covering letter. 4 pp.

150. ii. Draft instructions to Governor Lewis Morris of New Jersey. 86 pp. [C.O. 5, 996, pp. 408-498<sup>1</sup>.]

## 151

April 15.  
Antigua.

Governor William Mathew to Alured Popple, enclosing minutes of council and assembly of Montserrat for quarter ending 25 March last. I have no other public papers to transmit. *Duplicate*, recd. before original. *Signed*. 1 small p. *Endorsed*, Recd. 5 June, Read 9 June 1738. [C.O. 152, 23, fos. 149, 149d., 154, 154d.]

<sup>1</sup>Pagination of C.O. 5, 996 is faulty: see pp. 308-398.



**152** William Stephens to Harman Verelst, referring to his letters of 19  
 April 15. January, 27 February and 29 March. At the same time you receive this  
 Savannah. you will also (I presume) have ample dispatches from Mr. Causton  
 informing the Trustees in what a state of jeopardy we live here at present. I now enclose  
 a continuation of my journal from 27 February to this time wherein I seldom fail to run  
 even into the most minute passages that occur and am particular (I fear) to a fault. Here-  
 with I send duplicates of letters of 27 February and 29 March. Your own imagination will  
 inform you as well as I can what countenances we wear at this instant, some calm and  
 resolute, some wavering and doubtful of the event, and others overcome with abject  
 fears insomuch that they have been looking for some creephole out of the province for  
 the safety (as they would have it believed) of their wives and families. The general cry is  
 that the fort begun last year and carried to such a length not being since made defensible  
 leaves them no place to retreat to for refuge in case they are overpowered. Should it come  
 to such a push I am apt to think the dons however may meet with a reception they did not  
 expect and there are not a few among us I see who are ready to dispute the rights of  
 Georgia with them if they try it, which undoubtedly they were just ready for very lately  
 when we little thought of it, as appears from the late informations, and would have  
 visited us ere now had not the court of Spain providentially put a stop to it, as Preu  
 deposes if he is to be credited. Nevertheless at best, as they acknowledge of themselves  
 that their design is to build a fort on the Old Apalachee Fields, that will certainly raise  
 contention among the Indians in separate alliance with them and us, and probably be the  
 occasion of some ravage etc. In the meantime till we know further an absolute stop is put  
 to any person's going out of the province that, howsoever their own courage may fail  
 them, others may not become intimidated by their flight. It is to be hoped a few days  
 more will give us a full view of the Spaniards' intentions and it is both hoped and wished  
 that in as little time we may have the pleasure of seeing Col. Cockran and some true  
 Britons at his heels who will effectually clear all doubts among us. We think it long since  
 we were first bid to expect them which your letter of 13 December confirmed and thereby  
 enlivened us all. Let it suffice at present to acknowledge yours of 14 December contain-  
 ing some short orders from the Trustees which I shall pay due regard to. Mr. Jenys  
 (brother to him lately deceased and newly come to Charleston from London) having been  
 with us in this town for two or three days and informing us that he designs to make his  
 abode in Charleston for a year or two at least and that the house will be continued there in  
 the same manner as formerly, I cannot scruple to commit this to his care, as Mr. Causton  
 also tells me he shall what he has to send. *Signed.* 1½ pp. *Endorsed,* Recd. 12 July 1738.  
 [C.O. 5, 640, fos. 81-82d.]

**153** Memorial of Ralph Noden, agent for Bermuda, to the Council of  
 [April 17.] Trade and Plantations, praying for a time to be heard against an Act  
 passed in New York for laying a heavy duty on tonnage, which affects the trade of  
 Bermuda. ½ p. *Endorsed,* Recd. 17 April, Read 18 April 1738. [C.O. 5, 1059, fos. 42-43d.]

**154** Minutes of meeting of Trustees for Georgia. Received receipt from  
 April 19. Bank for 2l. 2s., consideration money for grants to Capt. William Wood  
 Palace Court. and James Carteret. ½ p. [C.O. 5, 687, p. 68.]

**155** Address of condolence by Governor, Council and Representatives of  
 [April 19.] Massachusetts to the King on the death of Queen Caroline. *Signed,*  
 Jonathan Belcher, Governor, Josiah Willard, Secretary, John Quincy, Speaker. 1 large p.  
*Endorsed,* Recd. 29 June 1738 from Mr. Wilks. [C.O. 5, 10, fo. 337, 337d.]

**156**April 20.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle, enclosing the following papers relating to seizure of English sloop by French. *Signed*, Monson, Edward Ashe, M. Bladen, R. Plumer. 1 p. *Endorsed*, Copy sent to E. Waldegrave, 11 May 1738. *Enclosed*,

156. i. Governor Mathew to Alured Popple, 1 March 1737/8. *Copy*, of No. 85. 1 p.

156. ii. Governor of St. Eustatius to Governor Mathew, 20 February 1738. *Copy*, of No. 85i. 1½ pp. [C.O. 152, 40, *fos.* 316–322d; entry of covering letter in C.O. 153, 16, *fo.* 68.]

**157**April 20.  
Savannah.

Thomas Causton to Trustees for Georgia. On 8th inst. I received advices from Messrs. Wigg and Woodward, two of H.M.'s J.P.s at Beaufort, copy enclosed<sup>1</sup>. These I immediately sent by messenger to the southward with copies to Capt. Gascoigne, Mr. De Legall, Mr. Horton, and Lieut. McKintosh. Capt. McPherson and Capt. Eneas McKintosh being here, I had the opportunity of giving them personal notice and receiving their several promises to be vigilant and keep in readiness for any necessary service. This sudden alarm coming to my hands before my letter of 7th inst. was finished has obliged me to postpone it by giving this the preference. On 11th, at night, arrived here a schooner from St. Augustine which belonged to Caleb Davis residing at that place. He having occasionally let fall expressions concerning the state of affairs there, he was apprehended by the officer on duty and brought to examination next morning, copy enclosed<sup>2</sup>. As this is a confirmation of the first advices with other particulars, I sent a copy of this examination to the president of council of Carolina, as also (by water express) to Capt. Gascoigne. On this day the land messenger returned and brought me the enclosed answers to mine of 8th<sup>3</sup>. As to that of Capt. Gascoigne, he having in a former letter given me particulars of stores necessary for repairs of boats, I have procured and sent some part of them and am endeavouring to get the remainder which I shall respectively send so soon as they come to my hand. As to that of Mr. De Legall, our wheelwright (partly for want of particular instructions) has been a long time making carriages for the guns under his care, but having finished only six I sent them on 12th inst. and the remainder will be finished in a short time. As to that from Mr. Horton I have supplied him with ammunition pursuant to your orders and particularly on 3 March last at Mr. Augspurger's request (he being here in person) supplied that store with one barrel cannon powder, 14 quarter-cask FF powder (very good), 1 cwt. 2 qrs. 20lbs. musket ball and 4 cwt. traders bullets which he himself examined and approved, being all the cannon powder I then had. As Mr. Bromfield has now no powder I am afraid it is out of my power to get any that is good elsewhere, but shall use my endeavour to prevent a want of anything so necessary for defence. As to that of Mr. McKintosh at the Darien, he advises that he wants neither for provisions or ammunition.

It is necessary for me on this occasion to represent to you the present state of our own arms and ammunition and therefore refer to enclosed account<sup>3</sup>. Upon my receiving the first advices of this alarm the constables called the people to arms by beat of drum and there appeared at four hours notice about 80 persons of whom (according to their report) there was not above four defective in their arms. The people in general continue their usual alertness on these occasions, but the former clamours for forts and commanding officers revive, concerning which I have a steady regard to your orders and will not act otherwise.

On 18th inst. Mr. Montaigut communicated to me a letter, copy enclosed<sup>3</sup>, from the

<sup>1</sup>See No. 146i

<sup>2</sup>See No. 297i

<sup>3</sup>Not found.



president of council for South Carolina. He complained very much of being unable to supply the Indians with provisions on their arrival and desired my assistance: as I had the same day received 1,700 bushels of corn from Robert Ellis I offered to lend him 200 bushels to be returned in the like specie, and I believe he will accept it. *Signed.* 2 pp. *Endorsed,* Recd. 16 June 1738. [C.O. 5, 640, fos. 83-84d.]

158

April 20.  
Council Chamber  
[Charleston.]

President William Bull to Council of Trade and Plantations. I beg leave by this opportunity to lay before you the informations we have lately received of the great preparations which were made at Havana to invade this part of H.M.'s dominions and particularly the colony of Georgia. The Spaniards have given out a report that their design is now laid aside in consideration, as they pretend, that Gibraltar, Port Mahon and Georgia are to be given up to his Catholic Majesty. But how far that is to be credited or depended on you best know. However in the meantime the Spaniards are sending men to settle a fort at Apalatchie Old Towns, which place was conquered in 1702 or 1703 by the people of Carolina with some Indians in amity with this government under the command of Col. Moore. A more particular account will be laid before you as soon as it can be prepared. *Signed.* 1½ small pp. *Endorsed,* Recd. 5 June, Read 6 June 1738. *Enclosed,*

158. i. Affidavit of Joseph Preu of South Carolina, mariner, sworn before William Bull in the Council Chamber, South Carolina, 16 April 1738. Deponent was imprisoned in Moor Castle, Havana, from 26 September 1737 to 26 March 1738, understanding that he was confined in order to be a pilot for an expedition against Savannah. It was publicly known in Havana that a force was being prepared to invade Georgia, but orders came from Spain in March 1738 putting a stop to the intended invasion, agreement having been reached between England and Spain. It was currently reported that this agreement was for the return of Georgia, Gibraltar and Port Mahon. Deponent was released at St. Augustine in April 1738. While he was there, a proclamation was read that all slaves running from the English should have their freedom. He was told that the Spaniards were about to make a settlement at Apalachee. *Copy,* certified by J. Badenhop, clerk to the council. 3 pp.

158. ii. Affidavit of Captain William Lyford, late commander of Fort Frederick, sworn before Thomas Wigg at Beauford, 6 April 1738. On 3 April, deponent saw several ships and sloops which he believed to be Spanish off St. Augustine bar, their boats passing between the town and the vessels lying off. *Copy,* certified as preceding. ½ p.

158. iii. Affidavit of William Hodge and William Patterson, seamen, aboard the sloop *Unity*, Capt. Brixy, to same effect as preceding. *Copy,* certified as preceding. ½ p. [C.O. 5, 366, fos. 67-69d.]

159

April 20.  
Charleston.

Same to Duke of Newcastle. It is with great concern that I acquaint you with the dangers we apprehend this part of H.M.'s dominions to be under and particularly that of Georgia from the great preparations which have been made at Havana, which if carried into execution with success must have reduced that colony as well as this to the utmost distress if not entire ruin. This formidable undertaking will appear more particularly by the enclosed depositions of William Lyford and Capt. Joseph Preu who gave us the first informations of it, to which I refer you. Such a situation obliges us to repeat an application to you for your powerful intercession to H.M. for his further protection and assistance for these frontier parts of his dominions which lie so much exposed; and notwithstanding the pretences of the Spaniards that their intentions against these parts of H.M.'s dominions are laid aside, we

have much reason to believe the contrary since they still continue to keep the 37 pinnaces and lances, six half galleys mentioned in the above depositions at St. Augustine where they can possibly be of no use or service to them unless they continue their first design of making a descent upon Georgia in which case they will be of sing[ular]<sup>1</sup> service to them and of the utmost disadvantage to us. The Spaniards are going to settle the Old Appalachee Towns which were formerly poss[essed]<sup>1</sup> by the Spaniards and the Appalachee Indians, who were conquered and dispossessed by the English of Carolina and Indians in amity with this government in 1702 or 3 under the command of Col. Moore, a more particular account of which I am preparing to represent and lay before you. *Signed.* 2½ small pp. *Endorsed,* Recd. 29 June. *Enclosed,*

159 i. Affidavit of Joseph Preu. *Copy,* of No. 158i.3 pp.

159. ii. Affidavits of William Lyford, William Hodge and William Patterson. *Copy,* of Nos. 158 ii-iii. 1 p. [C.O. 5, 388, fos. 174-178d.]

### 160

April 21.  
South Carolina.

Affidavit sworn before President William Bull by James Howell of South Carolina, master of the schooner *Beaufort*. He was detained at St. Augustine by order of the governor in January last; no Englishman was suffered to write or speak to another. The governor sent a pettiaugua with 20 men to keep a lookout at St. Juan's: deponent heard the commander say that he was not to open his orders until he arrived at St. Juan's. About 20 March, 37 pinnaces, galleys and launches arrived at St. Augustine, well-manned and armed, particularly the six galleys which were well-built and made to go in shoal water, each with three guns, twelve-pounders, in their bows and 50 soldiers. On 1st instant there arrived three snows and two schooners attended by a 24-gun ship of war and a 10-gun sloop. Deponent understood that by one of these snows came advice to the governor of St. Augustine to countermand the expedition intended against Georgia. Deponent had traded there for five years and never knew more than 500 men in garrison there; now there were 1,500 disciplined men and 200 Florida Indians. He further heard that these forces were to be joined by others from Havana making together 7,000 men, two 60-gun ships and other ships of war, that 100 great guns were put on a Spanish man-of-war to settle a fort at Frederica, (*Footnote:*—There is a fort already erected at that place by Mr. Oglethorpe with a garrison in it. It is looked upon to be a post of great importance) and that 1,500 French were to join the Spanish forces on their settling of Georgia. Deponent has no reason to think Spanish designs on Georgia are suspended: he heard the captain of horse at St. Augustine say that the government of England had agreed to evacuate Georgia in six months and that the main body of the forces would return to Havana. The man-of-war and the 10-gun sloop sailed for Havana before deponent's departure. He heard a proclamation made that negroes who ran away from the English should be free. *Signed.* 2 pp. [C.O. 5, 384, fo. 22, 22d.]

### 161

April 21.  
Whitchall.

Council of Trade and Plantations to Committee of Privy Council. Pursuant to your order of 13 March referring back our report on the petition of Sebastian Zouberbuhler, we have been attended by Mr. Simond who carried some Swiss families to South Carolina and being delayed at Rotterdam drew bills for 137*l.* 10*s.* on Mr. Zouberbuhler's father; he acquainted us that the expense of carrying over the said families was very great but he does not know by whom that expense was borne. Mr. Zouberbuhler produced papers relating to further expenses in Carolina of about 30 pistoles. But we do not see any reason to alter our opinion in our

<sup>1</sup>MS torn,



report to you of 20 January or to recommend to H.M. the granting of the petition. *Entry. Signatories*, Monson, Edward Ashe, R. Plumer, R. Herbert.  $3\frac{1}{2}$  pp. [C.O. 5, 401, pp. 255-258; draft in C.O. 5, 381, fos. 267-268d.]

162

April 22.  
S. Carolina.

Messrs. Crockatt & Seaman to Harman Verelst. The goods and two boys you sent arrived here 10 January and were sent to Mr. Causton on 16 January, also ten pieces of best ozenbriggs. They arrived safely, but we have had no receipt from Mr. Causton though three times requested. Please pay the money to Mr. Pomeroy & Sons on our account, supposing Mr. Causton has intimated receipt to you. This day Capt. Scott in one of our men-of-war arrived from before St. Augustine where he had been to see what number of vessels were there. He was 48 hours at anchor off their bar and says he only saw one sloop and one brigantine. We have had certain advices that the Spaniards were designed against Georgia this spring but are now by advices from Havana assured it is all over and that such is entirely laid aside. Those reports occasioned some stir here and at Georgia for some weeks past, but now all fears seem entirely over. We are daily in hopes of hearing the safe arrival of Gen. Oglethorpe's regiment which is very much wished for; as yet no appearance of them. *Signed*. P.S. There is lately arrived at St. Augustine 500 men with their families. They are to build as I hear barracks on the island of St. John's to northward of St. Augustine and settle there. Their pay ship is also come which enables them to discharge their old debts due here and at New York. 4 small pp. [C.O. 5, 640, fos. 85-86d.]

163

April 22.  
Boston.

Governor Jonathan Belcher to Duke of Newcastle. I received the 4th inst. your letter of 21 November last, acquainting me with the death of the queen, which I believe is an irreparable loss to H.M. as well as an unspeakable one to his kingdoms and dominions. May Almighty God support the king under so severe an affliction and preserve his precious life to a long, long date and encompass the whole royal family with his divine benedictions. I received the melancholy news about a month before your letter and gave the proper orders for mourning and solemnised the obsequies here on 23 March in the handsomest manner I could and ordered the same at New Hampshire on 13th inst. *Signed*. 3 small pp. *Endorsed*, Recd. 10 June. [C.O. 5, 899, fos. 325-326d.]

164

April 24.  
Charleston.

Thomas Jenys to Trustees for Georgia. My late brother appointed me his executor with my sister. The accounts subsisting with you I have settled with Mr. Causton and go enclosed and endorsed in favour of my friends, Messrs. Smith & Bonovrier. I have likewise enclosed an account of the difference in the exchange amounting to 26*l.* 1*s.* 2*d.* relying on your justice for the discharge of so equitable a demand.

Great care was being taken to defend Georgia when the report came that there were four sail of ships off St. Augustine. [See No. 146i] In Georgia I met Capt. Prew and heard his report. [See No. 297i] Capt. Scott of H.M.S. *Seaford* now reports that all looks quiet at St. Augustine. Your forts and passes were in good order and well guarded and a constant watch on the bluff. Several boats had been out and returned in peace and safety. The trees in your garden and the silkworm magazine flourish; some few oranges met with a blight. *Signed*. P.S. I shall rejoice to execute your commands as my predecessor did. 2 pp. [C.O. 5, 640, fos. 87-88d.]

165

April 25.

Thomas Hill to Francis Fane, enclosing four Acts passed in Barbados in 1737 for his opinion thereon in point of law, vizt. Acts for ascertain-

ing price of meat; to encourage Simon Scantlebury and Philip Jackman in a project for recovering blasted cane; for explaining and amending an Act to quiet the minds of the inhabitants; for raising a levy to supply deficiency of the excise. *Entry*. 1½ pp. [C.O. 29, 16, pp. 67-68.]

## 166

April 25.  
*Hawk* in Jekyl  
Sound, Georgia.

Capt. James Gascoigne to Harman Verelst. Since mine of 13th (enclosing Lyford's affidavit to have seen six sail off the bar of St. Augustine 3rd of this month), on 17th I received a letter from Capt. Scott of the *Seaford* then at anchor off this bar informing me he was dispatched by Capt. Windham who was to follow in a few days to join me, desiring to know if I was under any apprehension of being attacked, if so he would come in, if not he would proceed on to Augustine and would (at his return) let me know in what situation he found the Spaniards. I acquainted him to have heard nothing but from the account on which he sailed and would join him in the morning early with *Hawk* and *Ranger*. Accordingly I sailed at daylight but found he had sailed in the night on receiving my letter by his lieutenant. Next day I returned to the sound and received the enclosed, dispatched from Mr. Causton. I left the *Ranger* without, to cruise and give notice to me of anything might come in sight. The 22nd the *Seaford* returned when Capt. Scott advised me the coast was clear but that he had counted two snows, one brigantine and two sloops in Augustine harbour. He lay off the harbour 30 hours in which time the Spaniards fired many guns, therefore believes his visit surprised them. In consequence of which I am in daily expectation of a launch according to the usual custom of the Spaniards on alike occasions. *Signed*. 1 p. *Enclosed*,

166. i. Affidavit of Joseph Preu taken on 12 April 1738 before Henry Parker and Thomas Christie. [*Same though with small discrepancies as No. 297i*] *Copy*. 2 pp. [C.O. 5, 640, fos. 90-91d.]

## 167

April 26.  
Frederica.

Samuel Davidson to John Ridyard acknowledging letter of March 1736/7. All of us here have been wonderfully protected by providence, very few have died and none sickly. We have great increase of children and women bear that in Europe were thought past their time. The cattle and hogs that were given us on credit thrive very well and fowls in great abundance. *Signed*. 1½ pp. *Endorsed*, Recd. 6 October. [C.O. 5, 640, fos. 93-94d.]

## 168

April 26.  
Frederica.

Samuel Davidson to John Gilbert, acknowledging letter of 28 February 1736/7 received 11 June. I have six acres and 38 perches of land well-fenced and hope for a better crop than last year. I have done everything by my own labour except one servant whose time run to nine months for 11l. 10s. sterling. I was not able to bring over my own servant there being no room in the ships. We want nothing but the return of Gen. Oglethorpe to be quiet and easy in our possessions. If you fancy to come over to us, get all the servants you can and be careful of them at sea, for they will bring you money or enable you to live handsomely on your plantation. I should be glad to see you and as many of our friends that think proper to come. *Signed*. P.S. Pray tell Mr. Crofts to write to me for I do not know where to direct to him. ¾ pp. *Endorsed*, Recd. 6 October. [C.O. 5, 640, fos. 99-100d.]

## 169

April 26.  
Palace Court.

Minutes of Common Council of Georgia. Read grant of 500 acres of land to Capt. Alexander Heron of Col. Oglethorpe's regiment. Seal affixed, secretary to countersign and register with auditor of plantations. Ordered that a lease and release of 3,000 acres in trust for 50-acre lots to men Protestants



who desire to have them within three years from date thereof be prepared; seal to be affixed and secretary to countersign. Seal to be affixed to lease and release of 3,000 acres of land in trust for 5 acres to each soldier of Gen. Oglethorpe's regiment, secretary to countersign.  $1\frac{1}{2}$  pp. [C.O. 5, 690, pp. 138-139.]

170

April 26.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received of Mr. Tracy 10/. subscription towards building churches in Georgia. Rev. John Wesley attended and left the appointment of him by the Trustees to perform ecclesiastical offices in Georgia; resolved, that the authority granted him on 10 October 1735 be revoked.  $\frac{3}{4}$  p. [C.O. 5, 687, p. 69.]

171

April 26.

Grant to Capt. Alexander Heron of Gen. Oglethorpe's regiment of 500 acres of land in Georgia. *Entry.*  $\frac{1}{4}$  p. [C.O. 5, 670, p. 347.]

172

April 26.  
Georgia Office.

Benjamin Martyn to Rev. Mr. Ziegenhagen. Mr. Vernon has this day laid before the Trustees your letter with the extract of Mr. Urlsperger's to you relating to effects which the Salzburghers left behind them in Salzburgh. On a former application from Mr. Urlsperger, the Trustees sent a letter to Mr. Bolzius acquainting him that Mr. von Ploto had secured effects belonging to the Salzburghers to a considerable value and asking him for a specification of the demands of the Salzburghers at Ebenezer. They have as yet received no answer; when they do they will acquaint you of it and do all in their power to obtain satisfaction. *Entry.* 1 p. [C.O. 5, 667, fo. 54.]

173

April 26.  
Kensington.

F. M. Ziegenhagen to [James Vernon<sup>1</sup>] enclosing the following. If the Trustees will send proper instructions and power to Mr. Urlsperger, I hope for success. Two letters that go hereby are same I mentioned yesterday; time enough to return them next Tuesday. *Signed.* 1 small p. *Enclosed,*

173. i. Extract of letter dated 20 March 1737/8 from Rev. Mr. Urlsperger at Augsburg to Mr. Ziegenhagen. The Prussian commissary at Salzburgh is willing to serve the Salzburghers in Georgia in recovering their effects. It is true 1438 gilders does not come to a great deal but better than nothing. As soon as I have orders from the Trustees I shall do what lies in my power. 1 small p. [C.O. 5, 640, fos. 95-96.]

174

April 27.  
Annapolis Royal.

Erasmus James Philipps and Otho Hamilton, commissioners for settling boundary between Massachusetts and New Hampshire, to Council of Trade and Plantations. The money received from Massachusetts and New Hampshire for travelling and subsistence has been inadequate. We beg you will use such means as may induce them (agreeable to their own Act of assembly) to make us a generous and just satisfaction for our trouble and expense and near nine months absence from home on that service. *Signed.*  $1\frac{1}{2}$  pp. *Endorsed,* Recd. from King Gould, Esq., 13 February, Read 16 February 1738/9. *Enclosed,*

174. i. Boston, February 1737/8. Same to agents of Massachusetts for managing the settlement of the boundary lines, applying for payment of expenses. Otherwise they will be obliged to return to Annapolis. *Copy.* 2 pp.

174. ii. Boston, February 1737/8. Same to Governor Belcher to same effect. *Copy.*  $1\frac{1}{2}$  pp.

174. iii. Boston, 12 February 1737/8. Erasmus James Philipps to John Rindge,

<sup>1</sup>See No. 172.

signifying intention of returning presently to Annapolis with Capt. Hamilton. There remains due to them ninety odd pounds each and to Mr. Skene in proportion for the time of his attendance. *Copy.* 2½ pp.

174. iv. Portsmouth, 17 February 1737/8. John Rindge to Erasmus James Philipps, in reply to preceding. He has no money from the government. If Massachusetts had paid the balance of the account of the cost of the commission and expenses that would have been sufficient to pay the commissioners. As a committee man he is ready and willing to advance his quota of what is due. *Copy.* 1 p. [C.O. 5, 881, fos. 51-57d.]

175

April 30.  
Whitehall.

Thomas Hill to Josiah Burchett. In reply to your letter of 3 March I send the usual heads of enquiry relating to the fishery at Canso. Commission and instructions for Capt. Philip Vanbrugh will be sent to the Duke of Newcastle. *Entry.* 1¼ pp. [C.O. 195, 7, pp. 478-9; another entry in C.O. 218, 2, pp. 344-5.]

176

May 1.  
Palace Court.

Minutes of Common Council of Georgia. Read report from committee of accounts: having examined several accounts from Georgia they find that large credits had been given to several persons by Mr. Causton for which no order had been sent and were of opinion that he must be called upon to give an account to the Trustees. They had likewise considered of the list of servants transmitted by Mr. Stephens, wherein the first article consists of 40 servants on account of the Trust brought into the colony by Capt. Thomson in November last and ordered to the Darien for sawing plank under the direction of Lieut. Moore Mackintosh, which being a charge on the Trust they submit whether it is not necessary to appoint some other inspectors to take care that the servants under his direction be so employed and an account taken of what they have done and shall continue to do and how the produce of their labour has been applied for the benefit of the Trust. Fifty-six more servants on board the *Two Brothers* (though brought into the colony at the owner's risk and 44 of them contracted for by private inhabitants settling at their own expense) have been placed by Mr. Causton to the account of the Trustees and have all but 12 been distributed by him to private persons without any authority, and therefore the committee were of the opinion that the charge of the said 44 servants must be answered for by Mr. Causton. By the *Three Sisters*, Capt. Hewitt, 120½ heads of foreign servants were brought into the colony 24 December last, whereof 67 heads were put under Mr. Bradley, and the committee submit whether it is not necessary to appoint some other inspectors to take an account how those servants are employed and how the produce of their labour shall be accounted for to the Trust. 9½ heads more of the said servants were indented to Mr. Causton without any authority, whereof the charge must be answered for by him. They had examined the sums paid in and applicable for building churches in Georgia amounting to 843*l.* 15*s.* 4*d.* besides 65*l.* more subscribed for, making 908*l.* 15*s.* 4*d.* and submit it to the council to desire Capt. Tomas the engineer on his arrival in Georgia to make an estimate for building a church at Savannah and send it to the Trustees. The report was approved. 2½ pp. [C.O. 5, 690, pp. 140-142.]

177

May 1.  
Horn Tavern.

Minutes of meeting of Trustees for Georgia. Resolved, that an application be made for a ship for Capt. James Gascoigne and that that ship be the stationed ship for Georgia, if not, to get the next vacancy on the Virginia or Carolina station ships which first drop in order to become the station ship for Georgia. Received by Mr. Vernon 50*l.* benefaction towards building church at Savannah. 1 p. [C.O. 5, 687, p. 70.]



178

May 1.  
Georgia Office.

Trustees for Georgia to Sir Robert Walpole. Whereas H.M. has provided for the defence of Georgia and Carolina on the military establishment and Parliament has this year granted 8,000*l.* for the civil establishment of the colony, the Trustees acquaint you that until the province is better settled the yearly sum of 8,000*l.* will be necessary towards the defraying the expenses of the civil government, affording a provision and maintenance to such persons as shall settle in the colony, preserving the friendship of the neighbouring Indians (of great service in time of peace and much more in case a war should break out in that country), for carrying on such improvements as the province is capable of producing such as silk, wine and oil (the expense whereof private persons are not able to bear without some assistance). As these expenses for the civil government etc. will be necessary to be defrayed by the public until the province is settled and in a capacity to support them themselves (which in their present circumstances they are utterly incapable of doing) the Trustees earnestly desire that these expenses may in future sessions be put into some estimate to be laid by the crown before the House of Commons since it will be impossible for the Trustees every year to take upon them the labour of proceeding as petitioners nor can it be thought reasonable that they should hazard the making contracts for men, provisions etc. which is necessary to be done the year before upon the uncertainty of their petition's being received or the sum they expected being granted them. *Entry. Signatories*, John Laroche, F. Eyles, James Oglethorpe, Robert Hucks, R. Eyre, William Sloper, George Heathcote, T. Archer, Egmont, Jacob Bouverie, Christopher Tower, Thomas Tower, Shaftesbury, Tyrconnel, William Heathcote, H. Archer, Robert Tracy. 1 *p.* [C.O. 5, 667, *fo.* 54*d.*]

179

May 1.  
Georgia Office.

Same to same, commending the services of Capt. James Gascoigne, commander of H.M.'s sloop *Hawk* in Georgia. We desire you to recommend him to H.M. for command of a ship of war. *Entry. Signatories*, as No. 178 without William Sloper. 1 *p.* [C.O. 5, 667, *fo.* 55.]

180

May 2.  
Whitehall.

Thomas Hill to Francis Fane enclosing an Act passed at Nevis 5 January last to prevent negroes and other slaves from selling anything without a ticket from their masters, for his opinion in point of law. *Entry.* ½ *p.* [C.O. 153, 16, *fo.* 68*d.*]

181

May 2.  
Whitehall.

Same to same, enclosing copy of an Act passed in New York in December last for frequent elections of representatives to serve in general assembly and for frequent calling to meeting of the general assembly so elected, for his opinion thereon in point of law. *Entry.* ½ *p.* [C.O. 5, 1126, *fo.* 34*d.*]

182

May 3.  
Palace Court.

Minutes of Common Council of Georgia. Resolved that Robert Gilbert be appointed third bailiff of Savannah in the room of John Dearne, deceased; that a lot of 50 acres in Savannah be granted to Andrew Logie and the same in Frederica to Holliday Lawes; that John Clarke be appointed secretary for Indian affairs in the room of Rev. Charles Wesley. Seal to be affixed to these appointments. 1 *p.* [C.O. 5, 690, *p.* 143.]

183

May 3.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received receipts from the Bank for 10*l.* paid in by Robert Tracy and 50*l.* paid in at last board by Mr. Vernon. Resolved, that it be referred to the committee of correspondence to prepare an Act to enable the Trustees to appoint commissioners for

the more effectual execution in a summary way of an Act to prevent the importation and use of rum and brandies in Georgia. 1 p. [C.O. 5, 687, p. 71.]

- 184**  
May 3.  
Georgia Office. Harman Verelst to Bailiffs of Savannah, William Stephens and Thomas Causton, ordering that a 50-acre lot at or near Savannah be granted to Andrew Logie. *Entry*.  $\frac{1}{4}$  p. [C.O. 5, 667, fo. 67d.]
- 185**  
May 3.  
Georgia Office. Same to Bailiffs of Frederica, William Horton and Thomas Hawkins, ordering that a 50-acre lot at Frederica be granted to Holliday Lawes. *Entry*.  $\frac{1}{4}$  p. [C.O. 5, 667, fo. 67d.]
- 186**  
May 3. Appointment by Common Council of Georgia of John Clarke to be secretary for Indian affairs in Georgia in succession to Charles Wesley. *Entry*. *Signatory*, Benjamin Martyn. 1 p. [C.O. 5, 670, p. 348.]
- 187**  
May 3. Appointment by Common Council of Georgia of Robert Gilbert to be third bailiff of Savannah in succession to John Dearne, deceased. *Entry*. *Signatory*, Benjamin Martyn.  $\frac{3}{4}$  p. [C.O. 5, 670, p. 349.]
- 188**  
May 4.  
Whitchall. Order of Committee of Council for Plantation Affairs directing Council of Trade and Plantations to consider and report on the sum proper to be allowed to Alexander Skene and James Abercromby for running the boundary between North and South Carolina over and above the 50l. already paid to them. *Signed*, James Vernon. *Seal*. 1 p. *Endorsed*, Recd. from James Abercromby; Recd., Read 10 May 1738. [C.O. 5, 366, fos. 56-57d.]
- 189**  
May 5.  
Antigua. Lieut.-Governor Edward Byam to Council of Trade and Plantations. In accordance with Order in Council of 15 February last I have administered the oaths to and taken security from George Thomas as deputy governor of Pennsylvania. *Signed*. 1 small p. *Endorsed*, Recd. 27 June, Read 28 June 1738. *Enclosed*,  
189. i. 14 April 1738. Bond whereby George Thomas, Benjamin King and Walter Sydserfe of Antigua oblige themselves to the king in the sum of 2,000l. The condition is that George Thomas observes the Acts of Trade in his office of deputy governor of Pennsylvania. *Latin and English*. *Seals*. *Signed*. *Witnessed*, William Williams, John Leacock.  $1\frac{1}{2}$  pp. [C.O. 5, 1269, fos. 15-18d.]
- 190**  
May 6. Petition of Major William Cook to Trustees for Georgia for permission for his daughter Ann when of age to surrender her interest in a house and land in Savannah to her sister Susanna, so that she may hold a house and land in Frederica. *Entry*.  $\frac{1}{2}$  p. [C.O. 5, 670, p. 347.]
- 191**  
May 6.  
Frederica. Thomas Hawkins to [James Oglethorpe]. All the people belonging to Capt. Thomson's vessel have been under my care, four of whom could not be cured by any means but a course of mercurials with which I had success. I have had many ill but few lost since the account in November. At Darien now called New Inverness two of the Trustees' servants, one manservant by being scalded on the belly and privy parts and a woman of the bloody flux, and a child in a consumption, have died; thirty have recovered from fluxes and fevers and inveterate scurvies. At Frederica a servant belonging to the bricklayers died in an atrophy. Two have died at



St. Andrew's and Amelia, both dropsy. It is no small uneasiness to me that I cannot meet with the same success with the men under your command of which I have lost five since November, all which died in atrophies; but any person will allow that all endeavours must be fruitless while they spend their whole or the major part of their subsistence in liquor. In order to prevent the loss of more men I have taken the sick to town and procured such little necessary refreshments as this place afforded at my own expense, which method has always proved successful, they having immediately recovered. I shall continue the same till further orders from you or the person that shall command till your arrival. As I hope for a supply of medicines with the companies which we daily expect, I desist from repeating the invoice transmitted in November. The people have 95 acres of corn planted but the season as yet proves excessive dry and everything is at a stay for want of rain. *Signed*. 1½ pp. [C.O. 5, 640, fols. 101-102.]

192  
May 7.  
St. James's.      Royal appointment of Lieut.-Col. Robert Carpenter as lieut.-governor of Montserrat in the room of William Forbes, deceased. *Entry*. 1¼ pp. [C.O. 324, 37, pp. 122-123.]

193  
May 8.  
Bermuda.      President Andrew Auchinleck to Council of Trade and Plantations transmitting minutes of council and journals of assembly together with some Acts. We have had a report here for some months that the Spaniards are making warlike preparations at Havana and it is apprehended that they intend a descent upon Georgia to hinder that settlement, but when they are to set out upon the expedition we have not heard. Governor Popple is daily expected here: it is hoped he will bring with him powder and other warlike stores whereof we are at present in great want. *Signed*. 1½ small pp. *Endorsed*, Recd. 17 June, Read 21 June 1738. [C.O. 37, 13, fols. 51-52d.]

194  
May 8.  
Bermuda.      Same to [Duke of Newcastle] transmitting copy of votes and journals of the house of assembly together with the Acts made since I presided. We are alarmed here with a report which we have had for some months past that they are making warlike preparations at Havana: it is thought that the Spaniards intend a descent upon Georgia to hinder that new settlement, but we have not certain intelligence when or where they design. *Signed*. 1 small p. *Endorsed*, (i) Recd. 17 June 1738. (ii) Recd. 17 July. [C.O. 37, 26, fols. 210-211d.]

195  
May 8.  
St. James's.      Draft instructions for James Oglethorpe to be general and commander-in-chief of forces in or to be in South Carolina and Georgia. You are immediately to proceed to South Carolina and enquire into Spanish military preparations. Copies of several letters reporting an intended attempt on Georgia will be given to you. You will dispose the forces for the defence of both provinces and put forts in good order. You will not give offence to the Spaniards, nor suffer encroachments on Spanish territory, and you will use your endeavours that our Indians commit no hostilities against the Spanish Indians. But if any part of the territories included in the charters of 1663, 1666 or 1730, possessed by British subjects in 1670, is attacked you will defend it and act offensively. If you suspect an attack, give notice to commanders of ships stationed in those parts that they may act for the defence of the said territories. Early notice will be sent you of the outcome of the negotiations between us and Spain. You will correspond with one of the Secretaries of State. *Signed*, George R. 7 pp. *Annexed*,

195. i. List of papers annexed to General Oglethorpe's instructions. Extract of

letter from Havana, 7 September 1737. Extracts of letters from Consul Cayley to Duke of Newcastle, 21 January, 4, 11, 18, 25 February 1737/8. Copy of letter from Mr. Jenkins to Roger Drake, Bristol, 8 April 1738 enclosing copy of letter from Kingston, Jamaica, 20 February. Copy of letter from Carthagena, 10 February. Copy of letter from Governor of Havana to President of Council of Jamaica, 12 January 1738. 1 p. [C.O. 5, 654, fos. 133-138d.]

196

May 9.  
Jamaica.

Governor Edward Trelawny to Duke of Newcastle. I arrived at Port Royal in this island on 29 April where I was received by the president of the council and other principal persons with the usual ceremonies and my commission was published. The next day in council I took and administered to each councillor the oaths required by law. Copies of my declaration, the council's answer and my reply are annexed. The next council was appointed to meet on 5 May. In the meantime pursuant to my first instruction I informed myself concerning the disputes which had passed between John Gregory, commander-in-chief of this island before my arrival, and the four councillors who had withdrawn their attendance. After all proper enquiry I judged it proper to summon them to resume their places in council; this I was the more ready to do by Mr. Gregory's giving up the matter without any difficulty. Three of those gentlemen, namely Edward Charlton, Henry Dawkins and William Gordon, came to me before that day and excused themselves from reaccepting that office, but with the strongest expressions of duty to H.M. and civility to myself. The fourth, Temple Lawes, took his seat again that day. In order to supply the three vacancies with all expedition I proposed to several persons of the best characters, fortunes and interest my recommendation of them to you and the Council of Trade and Plantations. But I found a strange reluctance in general to accept of that office; so that of all those whom I offered to recommend, none but the three following gentlemen, Sir Simon Clarke, Bart., Edward Garthwaite, and Samuel Whitehorne, were willing to be councillors. And therefore I beg you to propose them to H.M. as persons very proper for that trust and zealous to promote his service. I shall lose no time in enquiring into the characters and abilities of twelve other persons best qualified for that trust and will transmit their names with all convenient speed to you, pursuant to my 5th instruction. The present assembly being as far as I can judge composed of as proper persons as any others who may be chosen in a new one, I have continued it; and a proclamation has been made for its meeting on 15 June next in order to proceed upon business. *Signed.* 3 pp. *Endorsed, Recd.* 21 July. *Enclosed,*

196. i. Governor Trelawny's declaration to the Council of Jamaica, 30 April 1738, the Council's answer, 1 May 1738, and Governor Trelawny's reply. *Copies.* 3 pp. [C.O. 137, 56, fos. 95-98d.]

197

May 10.  
Spanish Town.

Letter of John Baillie. No addressee. Governor Trelawny arrived here 29th ult. when he delivered me your's to Mr. Inglis enclosing your deputation to him dated 31 January last. Mrs. Inglis has also had one from Messrs. Feads of 21 February, they at that time having heard of the death of Mr. Inglis. I did advise them of it in December last and at the same time did presume to send you my proposals for your office. I should be glad to have your answer and hope ere this can reach you that my friends have settled the affair, and the more so that Mr. Jones who came with the governor acquaints me that you have not as yet had any benefit from your patent. If you have given me the deputation, my brother has my orders to be punctual with you and to have 50*l.* ready for you every three months. Upon Mr. Inglis's death I gave security to the country here in 4,000*l.* for my fidelity in office,



and Mr. Trelawny has continued me until I should hear from you, which I hope will be soon. *Signed.* 1½ small *pp.* *Endorsed,* Recd. 21 July. [*C.O.* 137, 56, *fos.* 99-100d.]

198

May 10.  
Palace Court.

Minutes of Common Council of Georgia. Read report from committee of accounts dated 23 March 1737/8 that the accountant had acquainted the committee that by accounts received from Georgia the expenses for the colony in America for seven months from November 1736 to midsummer 1737 amounted to 5,905*l.* 5*s.* 9½*d.* which is 843*l.* 12*s.* 3*d.* per month, and for nine months from midsummer 1737 to Lady Day 1738 including the sola bills sent for defraying the said expenses to that time they amounted to 5,729*l.* 19*s.* 7¼*d.* which is 636*l.* 13*s.* 3*d.* per month. Besides these expenses paid and appropriated for payment there are demands for certified accounts of stores, necessities and pay still due and unpaid to the amount of 2,228*l.* 15*s.* 5*d.*, which when paid out of the 8,000*l.* granted this session of Parliament the said stores, necessities and sola bills now in the colony will be more than sufficient to supply the expense thereof upon the foot of the last established allowances sent over with Mr. Stephens until the end of July 1738, the said allowances not amounting to 500*l.* a month. Which established allowances, being twice read over, the committee were of opinion ought to be immediately struck off and be no longer defrayed by the Trustees, they relating to the defence of the colony which the Trustees are no longer concerned in the providing for, because the money granted in this session of Parliament is only towards settling the colony, which several articles are as follows: the expenses of officers, rangers and men at the several forts, expenses of crews of pettiaugua and scoutboat etc. amounting to 2,203*l.* 7*s.* 2*d.* The committee were further of opinion that the persons employed in the store at Frederica and the storekeeper and cattlekeeper at the Darien (amounting in all to 74*l.* a year) ought to be struck off, the time of maintenance of the inhabitants in the southern division of Georgia expiring in February last, and that for the keeping of such stores as may be necessary hereafter the care should be under the direction of one storekeeper for the whole province.

The committee afterwards took into consideration the future expenses of the colony and were of opinion that they should be limited to the following articles and sums for one year to commence from midsummer next: bailiffs and recorder at Savannah and Frederica, 80*l.*; constables and tithingmen, 300*l.*; storekeeper and clerk, 48*l.*; two more clerks, 36*l.*; an overseer for services in looking after the millwright, 10*l.*; secretary of the Trust's affairs in Georgia, his son and servants, 120*l.*; four ministers in Georgia, 200*l.*; support of sick, widows and orphans, 150*l.*; messenger between Savannah and Charleston, 50*l.*, between Frederica and Savannah, 80*l.*; two millwrights at not more than 4*s.* a day till conclusion; Mr. Auspourger the surveyor, 54*l.* 15*s.* with an assistant as required at 12*d.* a day; two smiths, 50*l.*; the Italian silkwinders, 70*l.* 12*s.* 11*d.*; gardener at 1*s.* 6*d.* a day, 23*l.* 9*s.* 6*d.*; cowkeeper at Ebenezer, 24*l.* 12*s.* 7*d.* and 1*s.* per cow for all to 100, but all above to be sent to Ebenezer; seaboats at Tybee and Frederica instead of pettiaugua hire, which amounted to 113*l.* 9*s.* 5*d.*; contingencies, 120*l.* Which several expenses the committee were of opinion should be defrayed by issues of sola bills in Georgia to be sent over under the Trustees' seal and to be filled up to William Stephens, Thomas Causton and Henry Parker, to each of whom an account of the said expenses should be sent, and any two of them should be empowered to issue the said bills for these expenses and that they should be directed to send the Trustees an account signed by both of them on every issue showing to whom and and for what each issue was made. Resolved that the council agree with the committee in every article.

Ordered that 500*l.* be appropriated out of the 8,000*l.* granted in this session of Parliament when received to answer the like sum in 100 sola bills of 5*l.* each to be

immediately sent over to Georgia (being part of the 2,850*l.* residue of the sola bills ordered to be made out 10 August last and still unsent) towards defraying the above established allowances for one year from midsummer next; and that by endorsement on the said bills Col. Oglethorpe be desired to order the same to be issued by William Stephens, Thomas Causton and Henry Parker or any two of them. Resolved that Col. Oglethorpe be indemnified against the endorsements of the said 100 sola bills and the seal affixed to such act of indemnity, secretary to countersign. Resolved that when any of the said sola bills shall be returned to England for payment any five of the council be empowered to draw on the Bank for payment.

A further report was made from the committee of accounts that they had considered the service of Thomas Causton, the storekeeper employed upwards of five years at 40*l.* a year, and that the business of the storekeeper being now much reduced and Mr. Causton being also otherwise employed, he should have a month's time after the receipt of the Trustees' next letter to make out the remain of stores and his accounts of cash and stores to be forwarded to England and that his salary be continued from February last to the end of a month after the receipt of such letter, and that he should be assisted by the clerks whom the Trustees have sent over till his accounts are perfected; which when perfected and received, if allowed, he should be further gratified for his past service. Resolved that the council agree with the opinion of the committee.

A further report was made from the committee of accounts that they proposed Thomas Stephens to take possession of the remaining stores at Savannah and care of the remaining stores at Frederica, to be allowed 30*l.* a year and a clerk at 10*l.* a year and 8*l.* a year more in lieu of provisions for the clerk. Resolved that Thomas Jones be appointed storekeeper with a clerk and allowances, to take possession one month after the receipt of the Trustees' next letter in Georgia.

Read petition of Major William Cook for leave for his daughter Ann when of age to surrender her interest in the lot at Savannah whereby she may hold as her property the house and lot at Frederica which he shall build and cultivate for her; resolved that the council agree. Read letter from Mr. Whitefield desiring stationery; ordered that it be sent. Col. Oglethorpe's account towards discharging balance of 1,093*l.* 0*s.* 9½*d.* stated to be due from him 9 June last was delivered in; referred to committee of accounts. 10½ *pp.* [C.O. 5, 690, *pp.* 143-153.]

199

May 10.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Read letter from Rev. George Whitefield dated Gibraltar, 20 February 1737/8, intimating that since his departure from England he hears Rev. John Wesley is

returned to England and is therefore desirous, if the Trustees think proper for him to alter his measures, they would send their orders to him. Ordered that a letter be sent to Mr. Whitefield permitting him to perform all religious offices as deacon of the Church of England at Savannah as well as Frederica until another minister is provided for Savannah. ¾ *p.* [C.O. 5, 687, *p.* 71.]

200

May 10.  
Savannah.

Captain Hugh Mackay to Trustees for Georgia. The affidavits transmitted to you by Mr. Causton will show you the necessity that obliged me to act against common form by compelling the ship I was in to

endeavour first to make the river Savannah (contrary to the order of Capt. Fanshaw, commander of H.M.S. *Phoenix*), where I brought safe to anchor within the bar 6th inst. Besides the reasons contained in the affidavits, every man, woman and child I had on board was then or had been lately sick, of which the people of Carolina knew very well how to use to our hurt. As I could have no reason or view to act as I did but the good



of the king's service and that of the colony's, I hope I shall meet with protection against the clamours of those that endeavoured to hurt both and will use specious pretences of forms of service to colour their bad intentions. Notwithstanding the universal sickness in the ship I was in, we lost but two infants of all those that came from England. Poor Mr. Whitefield did not escape the common distemper. As Gen. Oglethorpe will ere now be in his passage hither I thought it my duty to have said affidavits transmitted to you and to send you this account. Ensign Mackay from St. Andrew's came here to-day who tells me that all to the southward are in high spirits. *Signed*. P.S. The other two ships that had the people from Gibraltar had little or no sickness. 2 small *pp*. *Endorsed*, Recd. 15 July 1738. [C.O. 5, 640, *fos*. 103-104d.]

201

May 10.  
Whitehall.

Council of Trade and Plantations to Committee of Privy Council. Pursuant to your order of 13 January 1734/5 we have considered the representation of the Governor and Company of Rhode Island about the boundary disputes between them and Massachusetts. It appears that this matter has been contested since 1664. In 1733 the two colonies each appointed three indifferent persons to decide the matter but the commissioners failed to agree. We are of opinion that H.M. should appoint commissioners from out of the neighbouring provinces to mark out the said boundaries and in the meantime should order the governors of the two colonies that the people continue in peaceable possession of their property without molestation. *Entry*. *Signatories*, Monson, Edward Ashe, R. Plumer, R. Herbert, 4 *pp*. [C.O. 5, 917, *fos*. 109-110d.; draft in C.O. 5, 896, *fos*. 94-95d.]

202

May 11.  
Whitehall.

Same to same. We have considered the petition of Benjamin and William Johnson of Antigua setting forth that they have been accused by some negroes (of whom part were under sentence of death) of being concerned in a conspiracy to destroy all the white inhabitants in Antigua; that, the testimony of heathen slaves not being allowed to be good evidence against them (who are freemen and Christians), a bill was brought in and passed by the council and assembly to attain them of high treason. The governor refused his assent until the king's pleasure should be known, and the petitioners pray that the king's assent thereto should be denied.

We have been attended by the petitioners' solicitor and the agent for the assembly and his solicitor, and have considered the bill of attainder and the governor's letter relating thereto. We have also had before us Mr. Kerby, speaker of the assembly when the said bill was passed, and Messrs. Vernon and Arbuthnott, two of the justices who took the first examination concerning this conspiracy, who informed us that the two Johnsons were so far from being suspected during the examination that they were employed by Mr. Arbuthnott to make further discoveries concerning the same, and that there had been no mention made of the Johnsons during the space of more than two months while Mr. Vernon and Mr. Arbuthnott were concerned in the said enquiry until a day or two before the finishing of it when one of the blacks under examination said that "If we should say anything of the Johnsons?" which expression seemed then of so little moment that no notice was taken of it. Mr. Kerby declared to us that the evidence was in no sort satisfactory to him and he produced a letter written to him by the attorney-general (who was a member of the assembly though not able for want of health to attend the whole progress of the bill) by which it appears he was of opinion that the evidence as far as he went through with the remarking of it was nothing but a heap of inconsistencies and incoherencies. We have likewise been informed by one Mr. Lyons, a man of character and substance in Antigua, that he saw them do their

duty during the time of the conspiracy as the white men did and that they did not fly or absent themselves on account of the accusation. Notwithstanding all which we must acquaint you that Mr. Arbuthnott and Mr. Vernon, one of whom was of the council and the other of the assembly and present during the whole affair, were still of opinion that the petitioners were guilty. But upon the whole, as the matter seems to us at least to be doubtful, the evidence being almost entirely that of blacks, some of whom were under condemnation and consequently under a double incapacity both as slaves and persons under sentence of death, we are of opinion it would be more advisable to incline to the side of mercy and therefore recommend that H.M. direct the governor not to give his assent to the bill. *Entry. Signatories*, Monson, M. Bladen, Edward Ashe, R. Plumer, R. Herbert. 4½ pp. [C.O. 153, 16, fos. 68d-70d.]

203

May 11.  
St. Jago de la  
Vega.

Governor Edward Trelawny to Council of Trade and Plantations. I arrived at this island on 29 April. Pursuant to my first instruction I made no delay to inform myself concerning the disputes which had passed between John Gregory, commander-in-chief of this island before my arrival, and the four councillors who had withdrawn their attendance. After all proper enquiry I judged it expedient for H.M.'s service and the good and welfare of this island to permit them to resume their places. Three of those gentlemen, namely Edward Charlton, Henry Dawkins and William Gordon, declined reaccepting of that office; the fourth, Temple Lawes, resumed his seat in council on 5 May. In order to supply the three vacancies I earnestly recommend to you the following gentlemen, Sir Simon Clarke, Bart., Edward Garthwaite, and Samuel Whitehorne. I shall lose no time in enquiring into the characters and abilities of twelve persons more, best qualified for that trust, and transmit their names with all convenient speed to you pursuant to my 5th instruction. I found at my coming here that Mr. Gregory had put into the council Rose Fuller and Samuel Dicker in order to fill up the vacancies to the number of seven; the latter I recommended to you before I left England, the other is a gentleman of character and fortune to whom there can be no objection. *Signed. 2 pp. Endorsed, Recd., Read 21 July 1738.* [C.O. 137, 22, fos. 195, 195d, 198, 198d.]

204

May 11.

Instructions by Trustees for Georgia to John Mathias Kramer. You are to acquaint foreigners who apply to you for land in Georgia to settle at their own expense that the Trustees will grant to each man of 21 and upwards 50 acres in tail male, with an additional 50 acres for each son except the eldest. The Trustees will grant 500 acres in tail male to gentlemen whose birth, honour, reputation and ability they approve of, they to carry over 10 menservants and mark out the land within three months of arrival. They will grant to menservants at the end of five years service 20 acres in tail male. You may engage as far as 60 heads for servants who will work for five years; if they can pay their passages within six weeks of arrival they can be free. Children under six to stay with parents; boys over six to serve till 25, girls till 18. During service they will be fed and clothed; and at the end of service granted 20 acres of land. Persons born in Georgia will have liberties of natural born subjects within any British dominion. Liberty of conscience is allowed to all, free exercise of religion to all but Papists so they give not offence and scandal. *Entry. Signatory*, Benjamin Martyn. 2 pp. [C.O. 5, 670, pp. 369-370.]

205

May 12.  
Boston.

Governor Jonathan Belcher to Duke of Newcastle, enclosing copy of letter received from President Bull of South Carolina with the papers it covered. This day I have had the master of a sloop and his mate



examined who are come from Jamaica in thirty days, by which you will see that it is probable the Spaniards have a design to make a descent on the infant colony of Georgia. I wish Mr. Oglethorpe may be there to receive them. *Signed.* 2 small *pp.* *Endorsed,* Recd. 19 June. *Enclosed,*

205. i. Affidavit of William Lyford, William Hodge and William Patterson, 6 April 1738. *Copy*, of No. 158. ii-iii, certified by J. Belcher. 1 *p.*

205. ii. President Bull to Governor Belcher, 8 April 1738, enclosing copies of letter and affidavits suggesting Spanish design of attacking Georgia. *Copy*, certified by J. Belcher. 1 *p.*

205. iii. Affidavit of Capt. Theophilus Bradford, master of the sloop *Bathsheba*, sworn before Jacob Wendell and Anthony Stoddard, justices of the peace, at Boston, 12 May 1738. In Jamaica on 9 and 10 April deponent heard of a Spanish fleet of six large ships and twelve other vessels bound from Havana for Georgia. 1 *p.*

205. iv. Affidavit of Daniel Greenell, mate of *Bathsheba*, sworn as preceding. In Jamaica on 10 April deponent heard Mr. Simmons, a merchant at St. Anne's Harbour, give news of a Spanish fleet of forty vessels, seven being large, sailed from Havana for Georgia. 1 *p.* [C.O. 5, 899, *fos.* 327-334d.]

## 206

May 12.

Memorial of Henry Popple on behalf of Col. George Thomas of Antigua, to Council of Trade and Plantations, requesting that Thomas may be restored to his seat in the council of Antigua. When he attempted to take his seat last February he was prevented by Governor Mathew on the grounds of being governor of Pennsylvania. Col. Thomas has been appointed to that government by the proprietors of Pennsylvania, but owing to a dispute between them and Lord Baltimore, has not yet kissed the king's hand or given the usual security. It is presumed Governor Mathew's objection can therefore be of no weight. *Signed.* 1 *p.* *Endorsed,* Recd., Read 12 May 1738. *Enclosed,*

206. i. Abstract of minutes of council of Antigua, 24 February 1737/8, recording refusal of Governor Mathew to admit George Thomas. *Copy*, certified by De la Court Walsh, deputy clerk to council.  $\frac{1}{4}$  *p.* [C.O. 152, 23, *fos.* 135, 135d, 140-141d.]

## 207

May 12.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle enclosing representation on the case of James Wimble, late master and part-owner of *Rebecca* brigantine. *Entry.* *Signatories*, Monson, M. Bladen, Edward Ashe, R. Plumer. 1 *p.* *Enclosed,*

207. i. 12 May 1738. Same to King. We have considered the petition of James Wimble and the paper annexed, called a commission from Governor Woods Rogers to protect the rakers of salt at Exuma. We have been attended frequently by Mr. Wimble. But he laid no evidence before us to show what share he had in the said brigantine nor any relating to the value of the same, neither did it appear to us from any evidence or papers produced by him that the brigantine when lost was on your service; wherefore we cannot recommend him as a proper object of your bounty in respect to the loss he may have sustained. *Entry.* *Signatories*, as covering letter. 2 *pp.* [C.O. 24, 1, pp. 326-327.]

## 208

May 15.

Francis Fane to Council of Trade and Plantations, reporting on an act passed at Antigua in 1737 for the trial of John Coteen, a free negro man, and Thomas Winthorpe, a free mulatto man, for an intended insurrection to destroy the white inhabitants of this island, and declaring the same to be high treason etc. This act is intended upon a particular purpose to alter what has always been the unvaried

law of this country: that is, not to admit slaves to give testimony in courts of justice against free persons. And by the preamble it seems to have arisen upon a supposition that the two persons who are the objects of this act were concerned in a most horrid conspiracy with slaves to murder all the white persons upon this island. If the facts were true upon which this act is grounded, I think it might be matter of doubt whether it might be expedient or even just to pass this law, which is to establish an illegal method in this particular case of trying and condemning persons after the crime had been long supposed to be committed. But what I shall chiefly rely upon in my observations upon this act is that this method of proceeding is highly unjust unless the facts recited in the preamble of this act were very fully proved: whether that was the case abroad I cannot pretend to say, but I must observe that no one circumstance of guilt against these persons has been laid before me. And as the act is passed upon that foundation I think it was incumbent upon this examination to have had the same evidence appearing to you as had been produced before the legislature abroad. But as that has not been done I must consider it merely as it stands upon the act itself, and in that light it appears to me to be an act of a very extraordinary and unprecedented nature and highly dangerous to the lives and properties of H.M.'s free subjects. For if once the testimony of slaves is occasionally to be introduced in criminal cases against free men it may open a door to the greatest oppression and injustice; and it is to be observed that the very slaves whose testimony, as I am informed, was made use of upon the trial of these two persons were actually then under conviction for the crimes of treason and rebellion and therefore in point of law incompetent witnesses, supposing they had been free men. *Signed.* 2½ pp. *Endorsed, Recd.* 15 May, *Read* 16 May 1738. [C.O. 152, 23, fos. 136, 136d, 139, 139d.]

209

May 15.  
Chelsea.

Edward Mann to Council of Trade and Plantations. As I have no design of returning soon to St. Christopher's, I thought it necessary to acquaint you of it that my seat in council may be supplied with another that the service may not suffer by my absence. *Signed.* 1 small p. *Endorsed, Recd.,* *Read* 17 May 1738. [C.O. 152, 23, fos. 137-138d.]

210

May 16.  
Antigua.

Governor William Mathew to Alured Popple. I have delivered to Capt. Wage a box containing three bills for Montserrat, vizt. Acts for raising a levy etc., for more speedy and effectual dispatch of public business, and to explain and amend an Act for repairing highways etc. I send also a Nevis bill entitled Act for raising a poll-tax on negroes and other slaves etc. Enclosed is testimony of Capt. Ignatius Semmes relating to his ship being taken by the Spaniards out of Puerto Rico. [*Continues as in* No. 247.] *Signed.* 4 small pp. [C.O. 152, 23, fos. 151-152d.]

211

May 16.  
St. James's.

Royal appointment of William Bull as Lieut.-Governor of South Carolina in the room of Thomas Broughton, deceased. *Entry.* 1 p. [C.O. 324, 37, p. 111.]

212

May 16.

Petition of David Dunbar to Council of Trade and Plantations, praying that his case and sufferings may be recommended to the Duke of Newcastle for H.M.'s determination and that his licence of absence be renewed for one year or until the matters depending are determined. *Signed.* 1 small p. *Endorsed, Recd.,* *Read* 16 May 1738. [C.O. 5, 880, fos. 273-274d.]

213

May 16/17.

Lease and release by Trustees for Georgia to Bailiffs of Savannah of 3,000 acres of land in Georgia. The bailiffs shall grant to every man of



21 years or upwards being Protestant who arrives in Georgia within three years from the date hereof lands not exceeding 50 acres. *Entry.* 5½ pp. [C.O. 5, 670, pp. 352-357.]

**214** Same by same to Bailiffs of Frederica of 3,000 acres of land in trust for  
May 16/17. grants of 5-acre lots to soldiers of Gen. Oglethorpe's regiment. *Entry.*  
4½ pp. [C.O. 5, 670, pp. 358-362.]

**215** Council of Trade and Plantations to Duke of Newcastle recommending  
May 17. that Lieut.-Governor David Dunbar's licence of absence be renewed  
Whitehall. for a further year. *Signed*, Monson, M. Bladen, Edward Ashe, James  
Brudenell. 1 p. [C.O. 5, 932, fos. 1-2d; draft in C.O. 5, 896, fos. 96-97d; entry in C.O. 5,  
917, fo. 111, 111d.]

**216** Minutes of Common Council of Georgia. Resolved that the expense  
May 17. of the Georgia scout-boat, being 258*l.* 15*s.* 1*d.* stand part of the expenses  
Palace Court. of the colony from midsummer 1738 to midsummer 1739; and that it  
be referred to committee of correspondence to draw up an advertisement for a safe  
method of correspondence for the inhabitants of Georgia and their friends in England.  
A petition from the inhabitants of Highgate was read complaining of the sterility of  
their land; resolved that William Stephens and Hugh Anderson take a view and report.  
Read report from committee of correspondence 26 April 1738 that they were of opinion  
Henry Parker be allowed two menservants belonging to the Trust, that clothes to the  
value of 20*l.* be sent him in consideration of his services as second bailiff at Savannah,  
and that Thomas Christie in case he continues as recorder of Savannah be allowed two  
servants. Resolved that the council agree with this report. Read report from com-  
mittee of accounts 19 April 1738 that Col. Oglethorpe be empowered to lend 200*l.* to  
Abraham De Lyon of Savannah to help with the improvement of vines; resolved that  
the council agree with this report. Ordered that a letter be sent to Thomas Causton  
acquainting him that the Trustees will allow no other expenses but those estimated, and  
that notice be taken in the said letter of the great expenses incurred by him for which he  
has given no satisfactory account and desiring copies of his daybooks and ledgers from  
Lady Day 1734 and that he send the same every three months.

Read report from committee of accounts 3 May 1738 that Col. Oglethorpe be  
desired to direct a remain of stores to be taken immediately on his arrival; that Mr.  
Wragg's account of freight and charges of 121½ heads of Palatine servants landed in  
Georgia being considered and Capt. Hewitt's protest to support extraordinary charges  
for want of a pilot at Tybee, the committee were of opinion that 100*l.* and no more be  
allowed for the ship putting in at Tybee and the claim to more than 100*l.* be kept open  
until Col. Oglethorpe's enquiry on arrival in Georgia. On Capt. Dunbar's memorial for  
primage for two voyages of the *Prince of Wales* in 1734 and 1735, the committee were of  
opinion that 28*l.* ought to be allowed and the balance of 13*l.* 5*s.* 7*d.* paid to Capt. Dunbar  
in discharge of all accounts; resolved that the council agree with this report. Resolved  
that it be referred to the committee of accounts to determine the application of the  
Trust's servants. Seal to be affixed to letter to Mr. Causton. Read report from committee  
of correspondence and accounts that the plan for the church at Savannah drawn by  
Mr. Flitcroft be put into the hands of Capt. Tomaz to make such alterations as he  
judges necessary and to send over an estimate of the expense and enquire what Trust  
servants can be spared. Resolved that the council agree with this report.

Read report from committee of accounts that they had examined into discharge  
delivered in by Col. Oglethorpe amounting to 578*l.* 17*s.* 10½*d.* and were of opinion that

40*l.* 10*s.* should be accounted for by Capt. Cornish and Capt. Thomas, that 115*l.* 5*s.* was a reasonable charge in respect of 230½ heads of passengers on the *Simond and London Merchant* in 1735, and that when the 200*l.* has been advanced to Abraham De Lyon by Col. Oglethorpe the balance due from him will be 424*l.* 2*s.* 2½*d.*; resolved that the council agree to this report. The accountant acquainted the council that Col. Oglethorpe desired to stand charged with the 40*l.* 10*s.* paid to Captains Cornish and Thomas; resolved that the council agree with Col. Oglethorpe and that there remains 464*l.* 12*s.* 2½*d.* to be accounted for by him. Ordered that these resolutions be sent to Col. Oglethorpe, sealed and signed by the secretary. 8 pp. [C.O. 5, 690, pp. 154-161.]

**217** Minutes of meeting of Trustees for Georgia. Received receipts from  
May 17. Bank for 1*l.* 1*s.* consideration money for grant to Capt. Alexander  
Palace Court. Heron, for 10*l.* paid in by Sir William Heathcote, Bt., his subscription  
towards building two churches in Georgia, and 10*l.* paid in by Col. Oglethorpe for the  
same purpose. ¾ p. [C.O. 5, 687, p. 72.]

**218** Instructions by Trustees for Georgia to Capt. John Thomas to estimate  
May 17. the cost of building a church at Savannah. If any small alteration may  
make the said building a place of refuge and defence for the inhabitants, compute also  
that further expense. Enquire what servants of the Trust can be spared for the work,  
which will diminish the cost of labour. Entry. ½ p. [C.O. 5, 670, p. 365.]

**219** Council of Trade and Plantations to the King, recommending Mathew  
May 18. Mills, junior, to be of the council in St. Christopher's in the room of  
Whitehall. Edward Mann, resigned. Entry. *Signatories*, Monson, M. Bladen,  
Edward Ashe, James Brudenell, R. Plumer. 1 p. [C.O. 153, 16, fo. 71.]

**220** Order of Committee of Council for Plantation Affairs referring the  
May 19. following to Council of Trade and Plantations. Signed, James Vernon.  
Whitehall. Seal. 1 p. *Endorsed*, Recd. 1 June, Read 9 June 1738. *Enclosed*,

220. i. President William Bull to Duke of Newcastle; Charleston, 23 December  
1737, reporting state of artillery in South Carolina. Copy, of *Cal. S.P. Col.*, 1737, No.  
648. 1½ pp.

220. ii. Report of Commissioners of Fortifications of South Carolina to President  
Bull; Charleston, 23 December 1737. Copy, of *Cal. S.P. Col.*, 1737, No. 648 i. 5 pp.  
[C.O. 5, 366, fos. 78-83*d.*]

**221** Minutes of meeting of Trustees for Georgia. Sealed the following:  
May 19. lease and release dated 16 and 17 May 1738 for 3,000 acres to bailiffs of  
Palace Court. Frederica in trust for granting 5 acres to each soldier and N.C.O. of  
Col. Oglethorpe's regiment; same of same date for 3,000 acres to bailiffs of Savannah in  
trust for granting 50 acres to men being Protestants of 21 and upwards who arrive in  
Georgia within three years from the date; minute of resolution of Common Council  
relating to Col. Oglethorpe's account; same indemnifying Col. Oglethorpe against the  
endorsement of the Trustees' sola bills; a letter to Mr. Causton dated this day and several  
lists and accounts and invoice annexed; instruction to Thomas Jones. 1 p. [C.O. 5, 687,  
p. 73.]

**222** Benjamin Martyn to William Stephens. The Trustees have received  
May 19. your letter of 19 January last with your journal and are very much  
Georgia Office. pleased with your being so particular in your accounts and hope you



will go on to communicate by all opportunities. In your letter you take notice of a dissatisfaction among several persons upon the tenure of their lots being confined to heirs male and you make an observation on the great advantages of their going to the heirs general. The granting of lots to the heirs general the Trustees are persuaded will appear to you on a second reflection to be impracticable as the colony will consist of people of so many different countries. And to convince you that the Trustees have always had and still have a disposition to make the people perfectly easy in this particular and to grant the lots, whenever there is a failure of male issue, to the daughters of any proprietor, they have ordered me to enclose to you a clause in the printed terms (which are always offered to such persons who go at their own expense) relating to females, which is as follows: "When the land reverts to the Trust on the determination of the estate in tail male it is to be granted again to such persons as the Common Council of the Trustees shall think most for the advantage of the colony, and the Trust will have a special regard to the daughters of those who have made improvements on their lots not already provided for by having married or marrying persons in possession or entitled to lands in the province of Georgia in possession or remainder. And the wives of such persons in case they should survive their husbands are during their lives entitled to the mansion house and one-half of the lands improved by their husbands, that is to say enclosed with a fence of six feet high." The Trustees think proper to adhere to the covenants which have been made in their several grants and are determined to take the forfeit of grants of those who neglect to cultivate their lands. *Entry.* 1 p. [C.O. 5, 667, fo. 55d.]

223

May 19.  
Georgia Office.

Same to Rev. George Whitefield. In your letter to Mr. Verelst from Gibraltar dated 20 February you take notice of Mr. Wesley's return to England and desire to know whether the Trustees would have you alter the measure which they proposed. They are pleased with the zeal which appears in you and do by this permit you to perform all religious offices as deacon of the Church of England at Savannah as well as Frederica until another minister is provided for Savannah. They have no doubt but by your prudence every spirit of dissension will be laid amongst the people as far as you can contribute to it and that sobriety and industry and a due reverence to the magistracy will be constantly recommended by you to them as the most effectual means to make them quiet and happy and to qualify them for a just observance of the worship of God. The Trustees have ordered that another box of stationery be sent to you, as you desire, by the first opportunity. *Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 56d.]

224

May 19.  
Georgia Office.

Same to Thomas Hawkins at Frederica. The Trustees are very well pleased with the account you give in your letter of 28 November last of the great harmony amongst the people of your part of the province. As this in some measure must depend on the conduct of the magistrates, they have no doubt of its continuance from your's and the other gentlemen's behaviour. They desire you will omit no opportunity of writing to them and that you will acquaint them with whatever occurs worth your notice; you cannot be too particular in writing to them since they can only govern themselves in their care of the colony by the accounts they receive from thence. The improvements in building and cultivation of lands, the births and deaths of the people, are what they want to be constantly informed of, as likewise of their behaviour in general. The Trustees are determined to show the greatest marks of their favour to those who shall be found to be the most sober and industrious. They have ordered the drugs, of which you sent an invoice, to be sent over to you. *Entry.*  $\frac{3}{4}$  p. [C.O. 5, 667, fos. 56d, 57.]

225

May 19.  
Georgia Office.

Same to Hugh Anderson. The Earl of Egmont laid your letter of 10 August 1737 before the Trustees who are very well pleased with the care you have already taken and the observations in your memorial concerning the state of the public garden. They are concerned that the garden has been so strangely neglected by those who had the management of it and that it has been so much prejudiced by the people's cutting down the trees which were a proper shelter of it from the winds. They have no doubt but by your care and industry it may soon be brought to answer their expectations, and they will give orders that you shall have necessary assistance. They have always designed it as a nursery for such productions as it is the interest of the province to cultivate, such as mulberries, vines, olives etc., which were to be delivered out to the people as they could get their grounds ready to receive them; they have still the same view and therefore desire that you will let them know by the first opportunity how many days a ditch surrounding the garden of four feet deep and proportionably wide together with a hedge on the inside of the pales will take up, also how many days in probability the making a pump or well in the garden will take up, and how many days to make proper divisions by hedges in the garden by two men. The Trustees hear that it is best to raise mulberries from seed; they recommend it to you therefore to raise as many as you can from the seed at the properest season as also plenty of vines and olive plants. In the meantime when the grapes are ripening the Trustees think it necessary that no person be admitted to enter the garden except the magistrates or other persons who have a right to inspect it, and they hope that due care will be taken for the preservation of all the trees and plants in it, and they recommend it to you that the growth from the stocks of the trees next adjacent to the garden on the north and north-west side be preserved in order for a shelter. You were acquainted in December last that Lord Egmont had communicated to the Trustees your desire of a lot for one of your younger sons, and that the Trustees thought it most for your's and your son's advantage that a grant should be made to your son of 500 acres of land which you may take care shall be improved for him. *Entry.* 1 p. [C.O. 5, 667, fo. 56.]

226

May 19.  
Georgia Office.

Harman Verelst to Thomas Causton per Mr. Jones on *Union*, Capt. Moverley. The Trustees received your letter of 14 January last with the account of Capt. Thomson's arrival with servants for the Trust and others at his owner's risk, together with the particular dispositions of those at the owner's risk, whereof only 10 women, 1 boy and 1 girl are in that disposition charged as belonging to the Trust and all the others at the owner's risk, being 44 in number, are chargeable on other proprietors. Yet in another list of those servants you gave the captain with a receipt at the bottom, you acknowledge to have received them all for the use and account of the Trust and quote the Trustees' orders of 20 May 1737 for that purpose; which orders were that if any of the servants sent at the owner's risk should not be paid for at the end of thirty days from their arrival, the captain had leave to deliver such servants and their indentures to you for the Trustees' use to be employed in the public work. But such servants were not to be disposed of to private persons upon credit but were to remain the servants of the public for cultivating lands for the use of the colony and to save the expense of hiring servants for public work which has been so great a charge. As you have therefore without any authority brought this charge upon the Trust, the Trustees have determined that you must answer for the charge of the said 44 servants making  $43\frac{1}{2}$  heads at 8*l.* per head demanded of the Trustees by virtue of your receipt to Capt. Thomson, they being all by your disposition become the property of private persons on credit, which amounts to 348*l.* sterling, against which they will allow for the man sick at Savannah if he shall appear to remain the Trustees' servant, one



woman-servant to William Stephens, and one woman-servant to John Browne of Highgate, on their certificates. As to all the others, the 8*l.* per head must be made good to the Trustees and not in the hire of servants to work it out, for that would be an extraordinary proceeding to pay for indented servants lent to private persons and be repaid by the hire of them out again to the Trustees themselves who paid for them.

You have further taken 9½ heads of German servants brought by the *Three Sisters* on your own account without any permission from the Trustees, for whose passage the Trustees have paid including the charge of delivering them at Tybee 6*l.* 2*s.* 6*d.* sterling per head amounting to 58*l.* 3*s.* 9*d.* which you are further chargeable with. And on inspecting the accounts current you lately sent them, they observe that large credits had been given to several persons for which they cannot find any orders sent by them to you for that purpose, and herewith you receive a list of the balances stated due from those persons on their said accounts current amounting to 890*l.* 7*s.* 8½*d.* sterling. They therefore call upon you to know the reason why such credits were given. The Trustees are very sorry to find all their endeavours hitherto so ineffectual for obtaining a regular and known expense of the colony and their providing a proper means of defraying it, which have been so much hindered by that surprising liberty you have taken of receiving every ship's cargo brought to Georgia and the certifying the receipt of them to demand payment in England even when their cargoes were not wanted, as in the case of Robert Ellis so lately certified as 3 February last, while at the same time the Trustees were calculating to provide for the expenses they ordered to be made and sending their sola bills to defray them. Yet they not only find these expenses defrayed in another manner but also their sola bills come to England for payment without any cash accounts of them showing when received and to whom and for what issued. This conduct of yours is so dissatisfactory that the Trustees find it high time to put an end to all credit whatsoever and have therefore given public notice in several different gazettes. [*As in letter to William Stephens.* See No. 228.] The Trustees have sent you the annexed account of the expense of the colony paid for in England and accrued since midsummer last of the sola bills sent you and also of the provisions and effects received by you since that time, amounting to 11,152*l.* 2*s.* 1*d.* sterling, which surprising amount has been owing to this unrestrained method of your receiving of everything brought you and making the Trustees debtor for the conveniency and encouragement of ships to overstock the colony with their cargoes. These large quantities of provisions and goods must richly provide for all expenses of the colony before the receipt of this letter and produce a great surplus for the maintenance of the Trustees' servants who are the only persons now on the Trustees' expense to maintain and for which they appropriate this great remain of provisions and goods as their surplus fund to do so.

All the established allowances sent over by Mr. Stephens and directed to continue to Lady Day 1738 and every article of expense contained in the Trustees' letter by him do upon the receipt of this letter entirely cease and determine. [*Orders to Henry Parker regarding expenditure and issue of stores in 1738-9 here repeated.* See No. 229.]

Your cash-books for August, September and October 1736 are still wanting as also the particular answers to queries on sums not explaining the services they were paid for; and the most effectual way to come at the proper answers is by sending the Trustees copies of all your journals or day-books and ledgers from Lady Day 1734 from which time you are accountable, which they now direct you to do and to employ some of their clerks in making them out. For with those copies and the cash-books I have, the above three months cash-books when sent, and your accounts current of all the sola bills issued by you, wherewith you have never yet charged yourself, will enable me to clear up those blind entries of payments which do not specify the services for which they

were made, and for want of which you are returned accountable for a very large sum of money. Your cash-books from 1 November 1736 to 31 December 1737, except for the first month, are more properly monthly books for taking receipts in for money paid than cash-books, there being no entries of money received or of sola bills which are equal to money.

The Trustees, having paid 250*l.* of bills you have drawn on General Oglethorpe at several times, have so paid them in discharge of your allowances of 40*l.* a year as storekeeper and 10*l.* a year as magistrate, which pay those allowances to February last. And they agree that you should have the allowance of 40*l.* a year as storekeeper continued until one month after the receipt of this letter and no longer, there being very little business for a storekeeper now excepting the proper care and issuing of what shall remain in the store; and that they do not intend to trouble you with because they think that your attendance upon the court and other avocations will fully take up your time. You are to make out an account of the remain of stores and of what demands, if any, there are upon the store and send it certified by William Stephens, yourself and Henry Parker. You are, further, to send your cash-accounts up to the receipt of this letter to be followed with the copies of your books beforementioned with all convenient speed that the Trustees may examine your whole accounts and judge of the reasons that may support your conduct. For on their approving of your accounts and thereby being enabled to satisfy the public in a clear and regular manner of the particular services that these great expenses have been consumed in, the Trustees will not be unmindful of the great burthen that has lain upon you for these several years past, and therefore only want an opportunity by your accounting for these expenses as you ought to do to further consider your past services as storekeeper when that is done.

Thomas Jones, now going over with General Oglethorpe, is to enquire into Mr. Bradley's demands upon the Trust and the Trust's demands upon Mr. Bradley. Mr. Jones is appointed storekeeper at 30*l.* a year to commence at the expiration of one month after the receipt of this, and he is to have one of the Trustees' clerks to assist him. Abraham de Lyon's petition is approved. [See No. 227.] The Trustees have approved Major William Cook's two daughters being joint proprietors and successors of the house, garden-lot and farm-lot at Savannah lately belonging to Peter Gordon and by him surrendered to the Trustees, leave being given for the eldest daughter when of age to surrender her interest to her sister. The rent of this house from Lady Day last therefore belongs to the said daughters. The Common Council have nominated Robert Gilbert to succeed John Dearne deceased as Third Bailiff. Charles Wesley's health not permitting him to return to Georgia with General Oglethorpe, the Common Council have appointed John Clarke (who goes over with the general) to be secretary for Indian affairs. John Coates, the constable and one of the trustees for the orphans, having deserted the colony, you are desired to move the town-court to name another trustee in his room and to call upon the trustees for the orphans to send an account of their proceedings to the Trustees from time to time.

The Trustees are much concerned that Savannah is at present destitute of a minister and they hope the magistrates will by good examples and a due care of the morals of the people do what in them lies to supply that present want which the Trustees are very anxious to have removed by the first opportunity, and that in the meantime the magistrates are desired not to absent themselves on Sundays but to assemble together and cause prayers to be read to the people by some decent person who can read. They direct that all unlicensed public houses be immediately suppressed. [*Orders for Henry Parker and Thomas Christie regarding servants for themselves repeated here.* See Nos. 229, 230.] Captain Thomas, an engineer going over with General Oglethorpe, has been desired



to make an estimate when at Savannah for building a church there which he is to send over together with a plan for the same by the first opportunity, and you are to let him know what number of the Trustees' servants can be spared for that work. There is on board the transport ships 85 tons of flint stones, 5 tons of Danzig stones, 77 bars of Swedish iron containing 32 cwt. 2 qrs. 16 lbs. at 15s. 6d. per cwt., 100 bars of Russia iron containing 54 cwt. 3 qrs. 10 lbs. at 14s. 6d. per cwt., and 6 faggots of steel containing 4 cwt. 1 qr. 4 lbs. at 30s. per cwt., all for building the church at Savannah besides the deal boards used in building cabins on board the three first transport ships which sailed in January last and part of those used in building cabins on board the transport ships now departing for Georgia. [*Orders to Henry Parker concerning parcels shipped for the Trustees are repeated here. See No. 229.*] [*Orders to William Stephens concerning lands for religious uses are repeated here. See No. 228.*] There is another Trust grant now goes over for 300 acres more to be set out in the southern part of the province to be cultivated for the religious uses of the colony and in the first place to provide for the maintenance of a minister at Frederica. [*Orders to William Stephens concerning 3,000 acres for grants to settlers of three years standing are here repeated. See No. 228.*]

As this letter contains matters of the highest importance to the welfare of the colony and to the satisfying of the Trustees who take so much pains to establish it, they have affixed their seal hereto and the annexing of all the papers herewith sent you, and they expect a due obedience be paid to these their unanimous resolutions; and Thomas Jones who delivers you this letter has their orders to take your receipt for the same. *Entry.* P.S. Since the writing of this letter the Trustees have received advice of two more accounts certified by you 23 January 1737/8 for provisions and necessaries from 7 November preceding received of Messrs. Minis & Salomons amounting together to 532l. 14s. 6d. which being added to the 11,152l. 2s. 1d. (your receipts since midsummer 1737) will increase the same to 11,684l. 16s. 7d.  $7\frac{1}{2}$  pp. *Enclosed,*

226. i. List of balances stated due from the following persons on their accounts current sent by Thomas Causton to the Trustees for Georgia: Peter Appy, 39l. 14s. currency; Thomas Antrobus, 7l. 12s.  $0\frac{1}{2}$ d. sterling; Sir Francis Bathurst, 623l. 18s.  $7\frac{1}{2}$ d. currency; Robert Bunnian, 209l. 5s. 7d. currency; Margaret Bovey, 776l. 19s. 2d. currency; Michael Bourghouter, 186l. 0s.  $3\frac{1}{2}$ d. currency; Widow Bowling, 15l. 7s.  $1\frac{1}{2}$ d. sterling; William Cookesey, 517l. 11s.  $0\frac{1}{2}$ d. currency; Jacob Charles Charles (*sic*), 76l. 12s.  $6\frac{1}{2}$ d. currency; Peter Coble, 28l. 18s. 4d. currency; William Cross, 23l. 16s. 7d. currency; Thomas Christie, 317l. 14s. 6d. currency; James Campbell, 3l. 2s.  $6\frac{1}{2}$ d. sterling; John Coates, 559l. 11s. 3d. currency; Peter Dechter, 58l. 10s. 2d. currency; John Davis, 51l. 19s.  $1\frac{1}{2}$ d. currency; Andrew Duche, 114l. 6s. 10d. currency; Patrick Houstoun, 941l. 3s. currency; Richard Hughes, 237l. 2s.  $10\frac{3}{4}$ d. currency; William Harris, 75l. 18s.  $2\frac{1}{2}$ d. currency; Youst Henry, 36l. 1s.  $2\frac{1}{2}$ d. currency; Roger Lacy, 1,542l. 8s. 7d. currency; David Peters, 39l. 5s.  $8\frac{1}{2}$ d. currency; Rogers and Clark, 25l. 8s. 3d. currency. Total, translated into sterling, 890l. 7s.  $8\frac{1}{2}$ d. *Entry.* 1 p.

226. ii. Account of the expenses of the colony of Georgia paid for in England and accrued since midsummer 1737, of the sola bills sent to Mr. Causton, and also of the provisions and effects received by him since that time. Total 11,152l. 2s. 1d., including 509l. remaining in Mr. Causton's hands at midsummer 1737. *Entry.* 2 pp.

226. iii. Account of the expenses in America estimated by the Trustees for the service of the colony of Georgia for one year, midsummer 1738-1739. Total: 1,676l. 5s. 1d. Approved by the Trustees, 10 and 17 May 1738. *Entry.*  $1\frac{1}{2}$  pp.

226. iv. Invoice of several parcels from the Trustees consigned to General Oglethorpe and shipped on the transports now on their departure for Georgia with the use of each: building materials for church at Savannah, tools for Trustees'

servants, seeds, presents for the Indians of guns, paint and beads. *Entry. 2 pp.* [C.O. 5, 667, *fos.* 60d-67d.]

227

May 19.  
Georgia Office.

Harman Verelst to Abraham de Lyon at Savannah. Your proposal for propagating vines in Georgia has been approved. You, Dr. Samuel Nunes, Mr. Daniel Nunes and Mr. Moses Nunes are to sign a bond to the Trustees for Georgia in the penalty of 400*l.* sterling in six years from the date, without interest. On delivery thereof to General Oglethorpe, he will pay you the 200*l.* you desired to be advanced. The Trustees are confident you will perform every part of your proposition as well as the repayment of the 200*l.* and they wish you success therein. *Entry. ½ p.* [C.O. 5, 667, *fo.* 57.]

228

May 20.  
Georgia Office.

Same to William Stephens. The Trustees received your letter dated 19 and 20 January last, as also journal etc. Your conduct being quite agreeable to the instructions they gave you, the Trustees very much approve of it. The present hurry on General Oglethorpe's departure has prevented the fully taking your journal into consideration. The Trustees in the strongest manner recommend to you to enquire and send them a particular account how and on what labour their servants are employed, for the benefit of their labour must appear not only to answer the great charge of them but also to produce a surplus benefit for the use of the colony which was the chief end of sending them. The Trustees, notwithstanding their endeavours to regulate the expense of the colony and provide the proper means of defraying it, have been greatly prevented therein by the number of certified accounts for cargoes received in Georgia which have been sent over to England for payment at the same time that their sola bills were sent to Georgia for defraying the expenses they ordered to be made. They have therefore given public notice in the *London Gazette* that all expenses they order shall be paid for in their sola bills and that no person has authority to purchase cargoes or contract any debt in America. Copies of notices signed by the secretary are sent to you to be affixed to the door of the storehouses at Savannah and Frederica.

Thomas Jones is appointed storekeeper in the room of Mr. Causton to take possession of the remain of stores in one month. He is to issue them pursuant to the orders he shall receive from yourself, Mr. Causton and Mr. Henry Parker, or any two of you, which issues the Trustees direct in the first place to be made for the maintenance and providing for the Trustees' servants who are the only persons now on the Trustees' expense to maintain. All the established allowances sent over by you and directed to continue to Lady Day 1738 and every article of expense contained in the Trustees' letter to Mr. Causton sent by you do upon the receipt of the letter now sent by Mr. Jones to Mr. Causton entirely cease and determine; and the Trustees will allow and defray no other expenses but those which by the copy thereof herewith sent you are estimated for the service of the colony from midsummer 1738 to midsummer 1739. And you together with Mr. Causton and Mr. Henry Parker or any two of you are directed to defray those expenses from time to time either with the remain of sola bills still in Mr. Causton's hands or with those which any two of you shall be empowered to issue. And as such expenses shall be defrayed those two of you who defray them are to sign the account thereof and send it from time to time to the Trustees specifying the services for and to whom such expenses were paid agreeable to the said expenses so estimated with a list of the bills as issued.

Mr. Bradley's account, demands and conduct are referred to Thomas Jones to examine and report. Abraham de Lyon's petition being granted, General Oglethorpe



will advance him the 200*l.* sterling. Robert Gilbert is appointed Third Bailiff of Savannah; herewith you receive his constitution. The Trustees have desired Mr. Causton to move the town-court of Savannah to name a trustee for the orphans in the room of John Coates the constable, and that the trustees for the orphans may be called upon to send an account of their proceedings from time to time to the Trustees. [*Permission to George Whitefield to perform religious offices at Frederica and Savannah repeated.* See No. 223]. The Trustees have desired the magistrates in the meantime not to absent themselves on Sundays but to assemble together and cause prayers to be read to the people by some decent person who can read.

Seven of the Trustees' servants are to be employed immediately in the cultivation of the 300 acres of land granted 31 March 1736 for the religious uses of the colony. You, Henry Parker and Mr. Causton are to co-operate in their proper employment. [*Orders to Henry Parker about servants for himself, clothing and necessities; to William Bradley about servants for Mr. Christie; and to Henry Parker about the disposal of parcels shipped for the Trustees, are repeated.* See Nos. 229, 230.] *Entry.* P.S. There is a trust grant sent you herewith the counterpart of which you are to get executed by the bailiffs of Savannah. It contains 3,000 acres of land in trust that every man of 21 and upwards being a Protestant who should within three years from the date arrive in Georgia should have an allotment of 50 acres of land granted to him as is therein mentioned; and those lots which are desired in the northern part of the province are to be set out by yourself and Mr. Causton and those in the southern part by William Horton and Thomas Hawkins, to whom please give notice. 3½ *pp.* [*C.O.* 5, 667, *fos.* 59-60*d.*]

229

May 20.  
Georgia Office.

Same to Henry Parker at Savannah. The Trustees, having been informed of your good behaviour and that your time has been greatly employed in the honest discharge of your duty of Second Bailiff of Savannah, have ordered me to buy for you clothing and necessities to the value of 20*l.* sterling which I will do and send you by the first opportunity. They have also allowed you two menservants now under the care of Mr. Bradley who has directions sent him for that purpose. The Trustees have appointed Robert Gilbert to be Third Bailiff of Savannah in the room of John Dearne deceased. Mr. Causton's attendance on the court and other avocations fully taking up his time, the Trustees have appointed Thomas Jones (who brings you this) to be storekeeper in his room. The Trustees having estimated the expenses they have ordered to be made in the colony for one year from midsummer 1738 to midsummer 1739, the account thereof is herewith sent you. William Stephens, Mr. Causton and yourself, or any two, are to defray those expenses with the remain of the sola bills still in Mr. Causton's hands or with those which any two of you will be empowered to issue. Those two of you who defray these expenses are to sign the account thereof and send it to the Trustees specifying the service for and to whom such expenses were paid, agreeable to the said expenses so estimated with a list of the bills as issued. The parcels shipped for the Trustees and the uses they are to be put to are described in the invoice herewith sent you; William Stephens, Mr. Causton and yourself or any two of you are to direct the storekeeper in the application of them except the presents for the Indians which General Oglethorpe will dispose of. *Entry.* 1½ *pp.* [*C.O.* 5, 667, *fo.* 58, 58*d.*]

230

May 20.  
Georgia Office.

Same to William Bradley at Savannah. The Trustees have received your letters of 1 December 1737 with the papers and accounts enclosed. As to their agreement with you, they were out of the produce of 100 acres cleared, cultivated and improved in one year with 30 or more of their servants

under your care, to pay 100*l.* sterling and they were to furnish you on your arrival with 10 servants for your own use with tools and provisions for one year and also to maintain you, your wife and children for one year after your arrival according to the custom of the colony. As to the 40*s.* an acre you mention, that was a forfeiture deductible from you out of the 100*l.* payable from the produce of the land for every acre of the 100 acres uncultivated at the expiration of one year. Which agreement on the Trustees' part has been performed. Thomas Jones who brings this is to enquire into what you mention of servants employed in the Trustees' service not your own, into your demands and into the demands on you. He has copies of your accounts with the store.

The Trustees direct: seven servants to be employed in clearing and cultivating 300 acres of land in the northern part of the province for the religious uses of the colony, to be such of them and in such manner employed as William Stephens, Thomas Causton and Henry Parker, or two of them, shall think fit; two men servants under your care such as Henry Parker shall choose are allowed him by the Trustees in consideration of his services as second bailiff of Savannah, if married their wives to go with them; two servants more under your care in case Thomas Christie continues in his office of recorder of Savannah are allowed him for his own use. *Entry.* 1½ *pp.* [C.O. 5, 667, *fos.* 57*d.*, 58.]

231

May 20.  
Boston.

Josiah Willard, secretary of Massachusetts, to [Thomas Hill], transmitting public papers of the province for six months ending February last, vizt. minutes of council and assembly, and Acts. Treasurer's general account is not yet passed. *Signed.* P.S. Your Christian name I cannot learn, therefore please excuse the omission. 1 small *p.* *Endorsed,* Recd. 1 July, Read 5 July 1738. [C.O. 5, 881, *fos.* 2, 2*d.*, 9, 9*d.*]

232

May 21.  
Southampton.

James Oglethorpe to Andrew Stone. Our arms etc. are embarked, as the men will also be on Monday. When I came down I found the Admiralty had not ordered the men-of-war to convoy the transports nor stay for them, on which I wrote to Sir Charles Wager. There is a report here that a ship is come into Cowes from Havana directly in seven weeks, that the Spanish fleet was not then sailed from Havana but that preparations for the invasion of Carolina and Georgia were making, flat bottom boats building etc. I have sent over to know the truth of this report and as soon as I receive it, shall acquaint you with the answer. I desire you to send me the copy of the Spanish memorials and answers to Portsmouth. *Signed.* 1 *p.* [C.O. 5, 654, *fos.* 139-140*d.*]

233

May 21.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Read petition to the Treasury desiring directions for issuing the 8,000*l.* granted in last session of Parliament towards settling Georgia; secretary to sign. Received by Rev. Mr. Burton, 10*l.* fifth annual payment of an unknown benefactor for endowment of a catechist in Georgia. Mr. Vernon laid before the board an order of H.M. in Council relating to an ordinance passed in South Carolina to raise a sum to indemnify the traders of South Carolina in opposition to the Act for regulating trade with the Indians; ordered that a copy be entered in the Trustees' books and another transmitted to Col. Oglethorpe to carry it to Georgia. 1¼ *pp.* [C.O. 5, 687, *pp.* 74-75.]

234

May 23.  
Boston.

Governor Jonathan Belcher to Duke of Newcastle. By one of the last ships from England, my brother Richard Partridge and my son Mr. Belcher of the Temple (my stated agents) write me that Mr. John Rindge of Portsmouth, New Hampshire, had been recommended to the king to be one



of the council of New Hampshire and that Mr. Belcher had presented a memorial for postponing his appointment till I might be heard upon it. I would therefore now ask your patience who are no stranger to the many difficulties I have met with since my appointment to the governments of the two provinces now under my command to support H.M.'s honour and interest. As to Massachusetts, the heats and broils they were in before my arrival and since seem at present to be pretty well laid: the opposition and trouble I have and do still struggle with in New Hampshire has been chiefly owing to the restless temper of Col. Dunbar whose natural element seems to be strife and fire. [*Cites commission and instructions ordering him to nominate to the crown persons fit to be councillors*] I have repeated these things that you may the more readily see the king's just expectations from his governor and no doubt to give him all reasonable power and authority to support the king's honour and interest and to prevent any contention or clashing between the governor and the council which must necessarily be the case if men personally prejudiced at the government and always opposing the king's authority must be members of the council; and such is Mr. Rindge recommended to supply the place of Mr. Gambling, lately deceased. This, Mr. Belcher has more amply set forth in a memorial to H.M. in my behalf, every paragraph whereof is strictly true. And I am greatly surprised that Mr. Rindge could possibly obtain a recommendation to be one of the council, which matter H.M. by his commission and instructions seems to have committed to the prudence and discretion of the governor. I therefore beg you that I may not have men placed at the council board who seek it purely to be capable of making uneasinesses in the government.

I would now recommend to you for supplying the place of Mr. Gambling Mr. Samuel Sherburne, a native and inhabitant of New Hampshire, a gentleman of a liberal education, of good virtue, of strict loyalty and duty to the king and to his royal house, and of good estate and ability.

The latter end of last month I was served with copy of a complaint exhibited against me to the king in council by a committee of the House of Representatives of New Hampshire and at same time with an order of the Privy Council to make answer thereto. I am now preparing my answer and hope to get it ready to go by this ship or the next. I pray no advantage may be taken if I cannot get it ready sooner. I have no doubt to make it appear that the complaint is altogether groundless, full of notorious falsehoods and contradictions; and I beg that you would do me the honour to be at the hearing when I have nothing more to ask than that truth and justice may fall into their proper scale. *Signed.* 9 small pp. *Endorsed,* Recd. 4 July. [C.O. 5, 899, fos. 335-340d.]

235

May 25.  
Kensington.

Order of King in Council. The Committee for Plantation Affairs on

23 February last considered all the papers relating to complaints made by Maryland and Pennsylvania against each other and were attended

by counsel on both sides and the proprietors of both provinces. After adjournment counsel acquainted the committee of agreement on following propositions: (1) so much of H.M.'s order of 18 August 1737 as relates to preventing riots on the borders of the two provinces to stand in force; (2) there being no riots in the Three Lower Counties, that part of the said order relating to those counties to be discharged; (3) lands and jurisdiction to remain in possession as they now are till the boundaries are finally settled; (4) as to vacant lands in contest outside the three counties and not now possessed by either proprietor, temporary jurisdiction is to be exercised by Pennsylvania east of the Susquehannah as far as  $15\frac{1}{2}$  miles south of the latitude of the most southern part of Philadelphia and on the west of the Susquehannah as far as  $14\frac{3}{4}$  miles south of the said latitude; south of these limits by Maryland; (5) within the limits thus set both proprietors

may grant lands; (6) prisoners on both sides on account of any riots relating to the bounds to be released in recognizances to submit to trial when called upon by order of H.M.; (7) this is to be a provisional and temporary order without prejudice to either party; (8) H.M. to be moved to discharge as much of the order of 18 August 1737 as varies from this agreement; petitions of complaint now depending to be withdrawn. This agreement is approved and the proprietors ordered to execute it. *Copy*, certified by James Vernon. 7½ pp. *Endorsed*, Recd. 23 June, Read 21 July 1738. [C.O. 5, 1269, fos. 19-23d; another copy certified by W. Sharpe, endorsed Recd. 8 May, Read 8 June 1739, at fos. 49-54d.]

236

May 25.  
Kensington.

Same, repealing ordinance passed in South Carolina for raising 2,000*l.* sterling to indemnify traders from Carolina in contempt of an Act of Georgia for maintaining peace with Indians. *Copy*, certified by James Vernon. 2½ pp. *Endorsed*, Recd. 23 June, Read 21 July 1738. [C.O. 5, 366, fos. 103-104d; another copy, endorsed Recd. 8 May, Read 8 June 1739, in C.O. 5, 367, fos. 11-12d; entry in C.O. 5, 670, pp. 372-373.]

237

May 25.  
Kensington.

Same, on report from Committee for Plantation Affairs, disallowing an ordinance passed in South Carolina, 26 June 1736, for asserting and maintaining the rights and privileges of H.M.'s subjects of South Carolina to a free and open trade with the Creek, Cherokee and other Indians, and directing the Council of Trade and Plantations to prepare drafts of instructions for the governor of South Carolina and the Trustees for Georgia according to report of the Committee for Plantation Affairs. *Signed*, James Vernon. *Seal.* 5 pp. *Endorsed*, Recd. 31 May, Read 7 June 1738. [C.O. 5, 366, fos. 70-73d.]

238

May 25.  
Kensington.

Same, approving an Act passed in Virginia in September 1736 for confirming and better securing the titles of lands in the Northern Neck held under Lord Fairfax. *Copy*, certified by James Vernon. 1½ pp. *Endorsed*, Recd. 23 June, Read 21 July 1738. [C.O. 5, 1324, fos. 127-128d; another copy, endorsed Recd. 8 May, Read 8 June 1739, at fos. 163-164d.]

239

May 25.  
Whitehall.

Same, approving report from Committee for Plantation Affairs [*see* A.P.C., Colonial Series, 1720-45, pp. 574-575] and draft instruction to the governor of Jamaica empowering him to make grants of royal mines in Jamaica for terms of fifty years on condition of paying to the crown one-fifth of gold, silver and precious stones, charges deducted. The grantees are to work their grants and produce some profit for the crown within five years or the grants shall be void. The governor is not to grant all the royal mines to any one person or set of persons. If application be made for grants under private property the owner of the said property may within one year of notice given take out the grant; if he does not do so the same may be granted to the first applicant. *Signed*, James Vernon. *Seal.* 4½ pp. [C.O. 5, 198, fos. 2-4d.] *Enclosed*,

239. i. Additional instruction mentioned in the Order. *Draft.* 5 pp. [C.O. 5, 196, fos. 287-290d.] [Copy of order endorsed Recd. 23 June, Read 21 July 1738 in C.O. 137, 22, fos. 193-194d, 201, 201d; another copy endorsed Recd. 8 May, Read 8 June 1739 in C.O. 137, 23, fos. 11-14d.]

240

May 25.  
Kensington.

Order of King in Council. The Council of Trade and Plantations having prepared the draught of a commission for Philip Vanbrugh (commander of H.M.S. *Chatham*) to be governor of Newfoundland in



the same form as that to the last governor except that they have inserted a clause to empower the governor to appoint judges of oyer and terminer for trying all criminal causes and awarding execution thereon, and in the draught of instructions they have added the 67th article whereby the governor is required to allow but one court of oyer and terminer in a year and that only when he or the commander-in-chief is resident on the place and not to suffer any person to be executed pursuant to the sentence of such court until a report shall have been made to H.M. in Council and H.M.'s pleasure signified thereupon, and have likewise added the 68th article requiring the governor to enquire into a complaint made by the last governor relating to the sack-ships conveying fish to market before it is cured; the commission is hereby approved except what relates to the power of the governor to appoint judges of oyer and terminer, which H.M. does not think expedient at present to be given, and the instructions are approved except the 67th article. *Signed*, W. Sharpe. *Seal*. 2½ pp. *Enclosed*,

240. i. Commission for Philip Vanbrugh to be governor of Newfoundland. *Draft*. 6 pp.

240. ii. Instructions for the same. *Draft*. 33 pp. [C.O. 5, 197, fos. 59-83d; copy of order, certified by James Vernon, in C.O. 194, 10, fos. 90-91d; another copy, certified by W. Sharpe, in C.O. 194, 10, fos. 107-108d.]

## 241

May 25.  
Kensington.

Same, directing Council of Trade and Plantations to prepare a draft of an additional instruction to the governor of Barbados according to the request of the enclosed petition. *Signed*, James Vernon. *Seal*. 2 pp.

*Endorsed*, Recd., Read 14 June 1738. *Enclosed*,

241. i. Petition of Francis Whitworth, Secretary and Clerk of Council of Barbados, to the King, praying for an instruction to the governor for payment of fees due for these offices. The total sum due to 4 May 1736 was 3,235*l*. 18*s*. 6*d*. which sum the assembly has resolved not to pay. [See *A.P.C. (Colonial Series)* 1720-45, pp. 200-1.] *Copy*. 3 pp. [C.O. 28, 25, fos. 64-67d.]

## 242

May 25.  
Kensington.

Same, appointing James Crockat and Edmund Atkins to be members of the council of South Carolina in the room of Thomas Broughton and Arthur Middleton, deceased. *Copy*, certified by James Vernon.

2 pp. *Endorsed*, Recd. 23 June, Read 21 July 1738. [C.O. 5, 366, fos. 105-106d.; another copy, *endorsed* Recd. 8 May, Read 8 June 1739, in C.O. 5, 367, fos. 7-8d.]

## 243

May 25.  
Charleston.

Representation of President William Bull to Council of Trade and Plantations. The long indisposition of the late lieut.-governor has occasioned the delay in answering your letter of 22 October 1736 enclosing copy of M. Geraldino's memorial. I have applied myself to obtain the best informations and have been careful to establish the facts by the best proofs the nature of the thing will admit. Before I proceed to a particular answer you will not esteem it a departure from the subject if I look back to the English acquisitions on the continent of North America or rather the powers granted by the crown to English subjects to acquire and settle colonies in America.

I have been informed that Charles I granted to the Earl of Arundel the country now called Louisiana and that this grant some time before 1629 was assigned to Dr. Daniel Cox who attempted to make a settlement in that year but was interrupted by the French. It is also reported that a grant passed in the same reign to Sir Robert Heath then attorney-general for a large tract of land lying in the Gulf of Mexico and it is well known to you that the charter granted to the late Lords Proprietors of Carolina (now surrendered to

H.M.) comprehends all the lands from lat.  $36^{\circ} 30'$  to  $29^{\circ}$  northern latitude and south and west in a direct line to the South Seas and that within those limits are included not only the Spanish fort of St. Augustine but most of the rivers and ports in the bay of Apalachee and Gulf of Mexico. Whether there were such grants from the crown to the Earl of Arundel or Sir Robert Heath you have the opportunity [more<sup>1</sup>] certainly to know.

That the province of Carolina has been settled under the charter of Charles II is a matter fast dispute but how far the boundaries of that province may be extended by virtue of the charter is a case of too nice consideration for me to enter into. I hope you will be satisfied if I state the facts agreeable to truth and as they appear to me, though I hope I may be indulged in a wish that the boundaries might be extended to the utmost limits expressed in the charter because I hope to make it appear to you that it will be of the greatest importance to H.M.'s service and that the security and very being of the English settlements in that province in a great measure depends upon preserving to H.M. all the lands comprised within the limits of the charter. I must nevertheless acknowledge that I have not been informed that any settlements have ever been made by the English to the southward of the Alatomaha River except the attempt by the assignees of the Earl of Arundel in 1629. [*Marginal note A: Col. Barnwell's journal and observations.*]

Since 1715, which was the year fatal to this country on account of an Indian war, all the lands between Port Royal and the fort of St. Augustine have been wholly deserted by the Indians; but before that time the possessors of these lands were an Indian people called the Yamasees formerly friends to the Spaniards, but during all Queen Anne's war in hostility against them and in alliance with and depending upon the English in South Carolina. In 1715 the Yamasees broke out war with the English and were in about two years after by the English vanquished and drove off from their lands. The few who remained and had escaped in the heat of the war retired and sheltered themselves under the Spaniards at St. Augustine, from which place they have been since encouraged to make depredations on the English and have been received with their plunder at the Spanish fort of St. Augustine. [*Marginal note B: Gray's deposition, Pearson's examination.*]

The river Alatomaha receives its name from a tribe of Yamasee Indians (whose chief was known by the name or title of Alatomaha) who were formerly settled there when they were friends with the Spaniards. But after the Indians had deserted the Spaniards and had lived many years with the English, upon the breaking out of the war, they betook themselves to their old settlements on this river from whence they were soon beaten by the English so that the lands from Port Royal to Alatomaha River remained uninhabited from the time of the Indian war until 1721 when by H.M.'s command a fort was erected and garrisoned upon that river. This fort was afterwards about 1726 accidentally destroyed by fire but, as I apprehend, not demolished by any order from the court of Great Britain as M. Geraldino is pleased to suggest.

Upon the strictest and best enquiries I have been able to make I cannot learn that the Spaniards had ever any settlement to the northward of the river of St. Juan: at that place they have for several years at some particular times maintained a lookout with two or three men. It is true that before Queen Anne's war they had a church and a small settlement upon an island called Sta. Maria about six or seven leagues to the northward of St. Juan's but this settlement during that war was entirely conquered and destroyed by the English of Carolina and has never been regained. [*Marginal note C: John Bee's deposition, Mr. Parmyter's deposition, Mr. Ballentine's deposition.*]

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<sup>1</sup>Edge of MS damaged.



St. Augustine and the small lookout at the mouth of the river St. Juan are all the possessions which the Spaniards now have on the seacoast to the northward or eastward of Cape Florida. They have a settlement at Pensacola in the bay of Apalachee and in 1719 they built a small fort which they then called St. Joseph, since St. Mark, at the mouth of Chatahuchee or Apalachicola river which empties itself into the same bay. At this fortress the Spaniards have met with frequent interruptions from the Indians who possess the head of the river, but of the present condition of their settlements there we are not well informed except from the late advices we have received of their designs to strengthen and reinforce them. [*Marginal note D*: Prew's deposition, Howell's deposition.]

The Spaniards had formerly another settlement on the river of Apalachee which also discharges itself in the bay of that name. They had a church and a fortress called St. Lewis and the Apalachee Indians were wholly under the Spanish subjection and frequently invaded the Indians who were friends to the English and infested the settlements at Carolina though they were seated at a great distance from that place. [*Marginal note E*: Col. Moore's letters to Proprietors and Sir Nathaniel Johnson, Mathew Beard's deposition, Joseph Barry's deposition. See Col. Barnwell's journal. See next above.]

In 1703, a war then subsisting between Great Britain and Spain, Col. James Moore, formerly governor of South Carolina but then authorised by a commission from Sir Nathaniel Johnson who succeeded him in the government, with an army of volunteers consisting of white men and Indians formed an expedition against the Spaniards and Indians settled at Apalachee. He had the success wholly to destroy the Spanish settlement and either subdued or reduced all the Indians of that country who were under the Spaniards to the obedience and subjection of the crown of Great Britain, and to render the conquest made by the English more effectual and complete he destroyed the whole country and brought away all the Indians who were the inhabitants of it and settled them under the English government on the River Savannah, the present boundary between Carolina and Georgia. In this expedition Don Juan M[exia]<sup>1</sup>, the Spanish governor of Apalachee, and several of his officers and private men were made prisoners and were obliged to redeem their liberty at very considerable ransoms so that the whole country came to the possession of the English by an absolute and entire conquest.

Since 1703 the country of Apalachee has been destitute of inhabitants and no attempt (that we know of) has been since made either by Europeans or Indians to settle in those parts except when the Spaniards in 1719 seated themselves at St. Joseph or St. Mark near the entrance of Apalachee River, which settlement by the late advices we have received they design to reinforce and extend even to the Apalachee Old Fields conquered by the English in 1703. Their settlement at Pensacola is at some distance from the country of the Apalachees and lies near the French settlements at Mobile and on the Mississippi.

Having endeavoured to give you an account of the Spanish settlements on this part of the continent, it will not be improper to take notice of that part of M. Geraldino's complaint which represents that the governor of St. Augustine had received advices from his lieutenant who commanded the fort of St. Mark in the province of Apalachee that the Uchee and Talapooza Indians (subjects of the kings of Spain) had complained that the English were then at work in erecting a fort in the king of Spain's territories inhabited by the said Uchee Indians and that they even gave out they intended to build another fort among the Talapooses to the northwest of St. Augustine and that another party of English consisting of 300 men had appeared on the frontiers of the said province

<sup>1</sup>MS damaged.

and that after having displayed the standard of war in a convention of the Indians called the Palachocolas they summoned the chiefs of the said province called the Cowetas to join with them in a war against the Spaniards, giving them to understand at the same time that they were determined to raze the fort of St. Mark.

As an answer to this complaint I must observe that the Indians which the Spaniards call Uchees, Talapoozes and Cowetas are several tribes of Indians most of them seated on a branch of the Chatahuchee River and by the English called in general the Lower Creeks. [*Marginal note: See the chart*]. The Palachucolas are another tribe of the Lower Creeks separated at some distance and settled nearer St. Augustine on the fork of the same river. With all these Indians, the English of South Carolina have traded for these 50 or 60 years excepting only the interruption of about two years during the Indian war but these Indians suffer themselves to be visited as well by the French and Spaniards as the English though they acknowledge no subjection or obedience to either, giving the preference nevertheless to the English on account of the advantage and convenience they receive from our trade. As this is the truth of the fact, you will easily determine if M. Geraldino has a just reason to insist that these Indians are the subjects of the king of Spain or if the lands they inhabit and of which they have been the original possessors can be said to be the territories of his Catholic Majesty. Whatever the inhabitants of Florida may pretend to the contrary, they know to their cost that they never yet conquered the ancient inhabitants of that country or reduced them to any sort of obedience.

The Indians, however savage they may appear, are not so destitute of natural sense or the knowledge of their own interests as not to be sensible of the importance they are to the Europeans with whom they take part and they have the sagacity or at least cunning to make their advantage of all those who they know will court their friendship. They have address enough to gain presents from English, French and Spaniards, notwithstanding the superior policy and refinements of those nations. It is more than a conjecture that some artifice of the Indians gave birth to the complaint made by the lieutenant of Fort St. Mark; for it is not an unusual thing for the Indians to terrify the Spaniards and by giving them apprehensions of danger to force presents from them. This is the more probable because it is impossible to be made appear that 300 English or any other body of that nation has at any time whilst there was peace between the two crowns appeared on the frontiers of Florida or the country of the Apalachees. No such thing ever happened. It is at the same time true that the English settled in Carolina and Georgia had it under their consideration to settle a small fort garrisoned with about twenty men amongst the Lower Creeks to secure their trade and to keep those people in their interest. But I hope you will be of opinion that as this was requisite and proposed to be done by the consent and on the lands of a free people who acknowledge no obedience to the crown of Spain it could give no just cause of complaint to the court of Spain nor can support the memorial of the agent of the king of Spain.

With submission there is much more reason to object against the claim which is insisted on in the memorial of M. Geraldino. By the facts laid before you it appears that the subjects of Great Britain in 1703 gained the whole country of Apalachee by conquest and it is apprehended that by the Treaty of Utrecht the conquests made during the last war were confirmed and that from thence H.M.'s right to that country became indisputable. If this shall appear to you a just representation of the case we have in our turn reason to complain of the Spaniards for possessing and fortifying themselves in two places in the Bay of Apalachee, both of which are within the limits of the Carolina charter and one of them gained by conquest in an open and just war.

It is to be hoped their pretensions will not appear less unreasonable when, according to M. Geraldino's memorial, they complain that the inhabitants of Georgia built a fort



upon territories of the dominion of Florida, 25 leagues northern distance from St. Augustine at the mouth of St. Simon's River. The fort which is mentioned in the memorial is the same fort which bears the name of Frederica and which Gen. Oglethorpe by H.M.'s command caused to be erected on the island of St. Simon at the mouth of the River Alatomaha, which in the memorial is called St. Simon's River. I have represented to you that the River Alatomaha never did belong to the Spaniards but was originally possessed by a tribe of Yamasee Indians the chief of whom was distinguished by the name which that river still bears and which continues as a strong and lasting evidence of the truth of what is alleged. When the Yamasees made war with the English they were conquered and driven away and never have been since able to regain their ancient possessions; nor was it more than five years after the conquest and desertion of the Indians that by H.M.'s command a fort was built on Alatomaha River to secure the possessions which his subjects had so lately gained. The inhabitants of Carolina are encouraged to hope that H.M. will continue his protection and to support the possessions which have been acquired at the expense of so much blood and of so many of the lives of his subjects.

The foregoing observations have been confined to your enquiries concerning the boundaries of Carolina and the subject of the memorial presented by M. Geraldino. At the time this memorial was presented the court of Spain seemed content to have matters settled between the two crowns in the way of a treaty and accommodation; but by what has since happened and the repeated advices we have received from several parts, the inhabitants of Carolina as well as Georgia have just reason to be under the most uneasy apprehensions. I must represent to you the dangers we have just reason to apprehend H.M.'s dominions in these parts will be exposed to from the extensive designs which it is very evident both the French and Spaniards have in view and were very lately, if not yet actually, in agitation. I apprehend that it will appear to you that it is past doubt that the French and Spaniards have by an union and communication of counsels formed such a plan that in case of a rupture they may with ease and without interruption invade any part of the British dominions in North America. It has been long observed that the French of Canada have been attempting to cultivate a correspondence with the Five Nations to alienate them from the interest of the English and have been more than ordinary industrious to prompt them to make war with the Indians that lie to the westward and southward of Carolina and are barrier between Carolina and the settlements both of the French and Spaniards. [*Marginal note:* President of New York's letter.] When Mobile at the mouth of the River Mississippi was settled in the time of Louis XIV the principal design (joined with some other views the House of Bourbon might have at that time) was to settle a communication by the Mississippi through the back part of the continent to Canada and to make the government of the province of Louisiana dependent on that of New France to the end that by such a communication they might unite their forces for the carrying on any future enterprise. [*Marginal note:* See Col. Barnwell's observations and charter to M.Crozat.] Agreeable to this plan they have since erected fortresses at convenient distances on the lakes of Canada and Illinois and all along the Mississippi down to Mobile. But as the Indians which lie to the westward and southward of Carolina and are in friendship with that province gave them frequent interruptions it has been their policy to destroy them; and they have bent their chief endeavours that way. The Chickesaws have been intended for the first sacrifice as they are a warlike people and lie most convenient to annoy the French in their passage on the Mississippi, for which purpose the French have very lately sent a formidable force from Old France and have ordered a thousand white men from Canada to join them in an expedition against those people. [*Marginal note:* Colcock's information.]

It is here submitted to your judgement if it is reasonable to think that it was necessary to prepare so great a force or for the French to put themselves to so much charge and expense barely to subdue a people who do not consist of above 400 or 500 fighting men. The inhabitants of Carolina and Georgia have too much reason to fear that their views are of far greater extent, and I must observe to you that if we were satisfied that the enterprise so lately undertaken was wholly confined to the destruction of the Chickesaws it would still have an influence that will certainly prove of the worst consequence to all the settlements near the frontiers of North America. It will infallibly strike such a terror amongst all other Indians who are in alliance with the English that it will render their friendship very precarious, if not wholly secure them to the French. And if our Indians are either conquered or destroyed by the French or gained by art or terror to their interest the dangers to which the English settlements will be exposed are too obvious to stand in need of any remark or explanation. You will consider further whether the designs of the Spaniards with the expected assistance of 1,500 men from the French in their late projected expedition and which was on the point of being carried into execution could be designed against Georgia only, as the Spaniards have thought fit to give out. Undertakings thus begun, conducted and carried on, and the truth of which is confirmed by so many concurring circumstances and from accounts delivered by so many various and distant hands, cannot fail of alarming all the settlements on the frontiers, nor can the consequences which must be infallibly derived from them escape your penetration and superior discernment. When you observe from the accounts now laid before you [*Marginal note:* Howell's and Prew's depositions] that an army of 7,000 men (most of them disciplined troops) were ready to embark from Havana, that there was an expectation of their being joined by 1,500 French from Canada and their settlements on the Mississippi, besides Indians, you can make no doubt but an entire conquest of this country as well as Georgia must have been in view.

The provinces of Carolina and Georgia, if their whole force was united, are not able to raise above 3 or 4,000 fighting men. These men lie dispersed through a country thinly inhabited and which stretches along the seacoast above 300 miles, from whence you may easily judge how difficult it must be to get them assembled and how easy it is for them to evade or elude the best regulations that can be provided by militia laws. The property of the people chiefly consists of slaves, for lands without them are of little value, and how easy it is in time of danger for great numbers to retire with their slaves into the most northern colonies where they will find themselves secure. But if we should have timely notice of the enemy and there was a probability that the strength we have could be got together and if we could be assured that the people would be compelled or prevailed upon to make a stand upon the frontiers, they are still undisciplined and ignorant of every military art except the bare use of firearms. Let them be admitted to be as brave as any people whatsoever, how unequal a task will they have with regular troops even if their numbers were equal? and how much less capable will they be to defend themselves when there is too great a probability that the force against them will be vastly superior. Before the inhabitants of the two frontier provinces were sufficiently acquainted with the formidable force which was in readiness to come against them, they conceived great hopes from the assistance of Gen. Oglethorpe's regiment which has been long expected. But you know well that a single regiment of the bravest and best disciplined troops may be overpowered by numbers and may be obliged to submit notwithstanding they may exert the greatest military virtue.

I have endeavoured to give you a true and faithful prospect of the situation and condition of the two provinces on the frontiers as well as of the superior power, strength and advantages of the French and Spaniards, and I am afraid have too fully and truly



shown that the several circumstances being considered, in all human probability these countries must be lost to the crown of Great Britain unless such an aid is afforded them as may at least make them equal in strength and power with the French and Spaniards. When the condition of these provinces comes to be examined it is hoped that it will be considered that however incapable they may be of defending themselves against a foreign force, yet the province of South Carolina alone sends to Great Britain annually near the value of 150,000*l.* sterling [*Marginal note*: Printed account of imports and exports] in the produce of that province in return for the native commodities of Great Britain and that to that province alone are employed above 200 sail of vessels owned by the subjects of Great Britain. The cultivating plantations and raising commodities which are so useful and advantageous to the trade of Great Britain and to which the inhabitants of the colonies wholly apply themselves is partly the cause of their inability to defend themselves against a foreign force; for whilst they wholly attend to agriculture, commerce and the improvement of the product of the plantations, it is hardly possible for them to be instructed in military discipline which is inconsistent with a domestic or country life. On the other hand the settlements which the French and Spaniards have in North America are chiefly upon military establishments and are maintained at the charge of the respective crowns: trade, commerce and agriculture are wholly neglected or at least in very little use amongst them.

To the representations I have laid before you I have added not only the depositions of persons who have been examined upon oath but I have endeavoured to collect the best accounts I could procure of everything that might contribute to your information, and to give you a more perfect view I have presented a geographical description of the countries on the continent of North America which are within the charter granted to the late lords proprietors of Carolina upon which before I conclude I beg leave to make some observations. I have before taken notice that the Spaniards have two settlements in the Bay of Apalachee, one at Pensacola, the other at a place formerly called St. Joseph, now St. Mark. The latter is at the entrance of Chatahuchee River. This river according to my information is not exceeded by any on the continent of North America for the convenience of its situation, the depth of water and the security of the harbour. It has its source amongst the Apalachee Mountains and for several hundred miles runs through one of the finest and most fertile countries in America. I could very largely insist on the very great importance it would be to all H.M.'s dominions in America if this river was secured to the crown of Great Britain, and on the contrary how very insecure the frontier settlements in these parts will be rendered in case Chatahuchee River should fall into the hands of the French or Spaniards, but I am not willing to trouble you with needless repetitions because you will meet with a very ample description of this river amongst the accounts [*Marginal note*: William Drake, late commissioner of Indian affairs, his letter] now laid before you. But this I must observe: that from this river there is an inlet to all the Indian nations and that by the superior power of the French and Spaniards the Indians may be induced or even compelled to invade the two frontier provinces which by easy marches from the upper parts of that river may be with very little difficulty accomplished, and in case of a war it will be beyond the power of the united force of Carolina and Georgia without further succours to prevent or oppose their powerful invaders.

The several matters which I have represented to you I hope will appear to be of the greatest importance to the security of H.M.'s dominions and that as the administration of the government of this province has devolved upon me I could not discharge the trust reposed in me without making you acquainted with the imminent dangers to which I apprehend H.M.'s subjects are exposed. I could wish for superior abilities to set

matters in more advantageous light but there is no difficulty in speaking truth and truth I am certain will have its due weight with you. To propose a remedy would be presumptuous. I can only assure you that the inhabitants of South Carolina have the greatest confidence in H.M.'s justice and goodness and are fully satisfied that when their circumstances shall be represented by you and made known to H.M. they shall receive his protection and that by his powerful aid he will effectually defeat and disappoint the designs of their enemies. I entreat that the matters which I have laid before you may have your early consideration according to their weight and importance and to the intent that a seasonable relief may be granted. *Signed.* 5½ large pp. *Endorsed,* Recd., Read 27 July 1738. *Enclosed,*

243. i. Certificate by Joseph Wragg that the examinations, depositions and letters hereunto annexed are true copies and that the deponents are persons of good reputation. Charleston, 27 May 1738. *Signed,* Joseph Wragg, James Michie, Deputy Secretary. 1 large p.

243. ii. Papers in support of the memorial to Council of Trade and Plantations. (1) Extract from Col. Barnwell's journal of expedition against the Apalachee, 1703-1704, in which it is stated that Charles I gave a grant to Earl of Arundel, assigned to Dr. Daniel Cox: in 1629 he sent Capt. Bond with 200 people but the French hindered the settlement.

(2) Affidavit sworn before President Arthur Middleton 16 January 1727/8 at Charleston by John Gray and William Gray. On 23 July last their trading house at the Forks was plundered by Creek and Yamasee Indians; Mathew Smallwood was murdered. The Indians took them to St. Augustine where they were imprisoned to 7th inst.

(3) Examination of John Pearson, mariner, taken before Benjamin Whitaker and Richard Allein, 20 October 1727. At St. Augustine about a month ago examinant saw several English prisoners and negroes deserted from this province.

(4) Affidavit of John Bee of Charleston, merchant, sworn before President Bull, 26 April 1738. Deponent was on Col. James Moore's expedition against the Spaniards in 1702. The Spanish settlement of Sta. Maria, a little to the north of St. Juan's but south of the Alatomaha, was then utterly destroyed by the English. The Spaniards have never since had any settlement north of their lookout which is south of St. Juan's.

(5) Affidavit of Joseph Parmenter of South Carolina, planter, sworn before Lieut.-Governor Broughton, 16 February 1736/7. About 26 years ago deponent in company with others visited the country between Charleston and St. Augustine. Since then he has frequently been in the service of the government of South Carolina as far as the Spanish fortress or lookout computed to be about 30 or 40 miles nearer to Charleston than St. Augustine. He is certain that in these 26 years the Spaniards have had no settlement north of this fortress commonly called St. Juan's. Before the Yamasee Indians broke out in war against South Carolina, which deponent believes was in 1715, there were some English settlements on an island called St. Catherina at a place ever since called Paycomb's Well.

(6) Affidavit of John Ballentine of Charleston, sworn before President Bull, 26 April 1738. Deponent was employed in 1716 scouting after Indians; the Spaniards have had no settlement to the north of their lookout on the south side of St. Juan's river since 1716.

(7) Affidavit of Capt. Joseph Prew of Charleston, sworn before President Bull, 16 April 1738. [See No. 158. i.]

(8) Affidavit of James Howell of South Carolina, master of schooner *Beaufort*, sworn



before President Bull, 21 April 1738. [See No. 160.]

(9) Extract from letter of Col. Moore to Lords Proprietors of Carolina, 16 April 1704, describing an expedition against Apalachee by a force which he raised. The Spaniards and their allies were defeated; this expedition has wholly disabled them to attempt anything by land. The French have settled a colony on the river Coosa, six days journey nearer to us than Mississippi and not above 50 miles further from Carolina than Apalachee. They will be dangerous in both peace and war.

(10) Extract from letter of Col. Moore to Sir Nathaniel Johnson, 16 April 1704, giving account of the taking of a town and fort called Aiaivalla and of the campaign in Apalachee, which has now been so reduced that it can neither supply St. Augustine with provisions nor disturb Indians living between Carolina and Apalachee.

(11) Affidavit of Mathew Beaird of South Carolina, planter, sworn 12 February 1736/7 before Lieut.-Governor Thomas Broughton. Deponent was a soldier in Col. James Moore's expedition into the territory of the Apalachees. These Indians were then conquered and their chief transferred his allegiance from the Spaniards to the British.

(12) Lieut.-Governor George Clarke to C.-in-C., South Carolina; New York, 16 January 1737/8. Yesterday I received advice from the Indian interpreter whom I sent to reside in the Senecas country (to keep those people steady to the interest of H.M. and to defeat the intrigues of the French interpreter who is often there) that the governor of Canada intends to set on foot a warlike expedition, not against the Foxes but as the interpreter thinks against the Indians belonging to your government and North Carolina, that the French king has sent 800 men with cannon up the Mississippi who are to winter at Old Attowawa and are to be joined by 1,000 men from Canada, the governor whereof has by a messenger with a belt of wampum invited the Six Nations to assist them: this the sashims, he says, desire me to inform you of but does not tell me what answer they gave to the governor of Canada. He says too that the French lost there last year 200 men and one priest. He likewise informs me that on 7 November last the Senecas brought to their castle three scalps and one prisoner whom they intended to burn, but that he redeemed him, that the Oneides, Caiyougos and Senecas were mostly gone out a-fighting, that the Caiyougos had sent an express to the Senecas acquainting them that the governor of Pennsylvania had sent an Indian to Ouondago to inform them that the governors of Virginia and Pennsylvania having endeavoured to make a lasting peace between the Flatheads and the Cattabas and our Six Nations, they had brought the Flatheads to accept of it but that the Cattabas absolutely refused, determining to carry on the war against our Six Nations. I am very sorry to find the Cattabas so resolved at this time when the Six Nations were in a pacific disposition; what the event will be I cannot tell but possibly this may make them join the French in their expedition if it be intended against any of those Indians. Please inform Georgia and North Carolina.

(13) Information of John Colcock, mariner, sworn 26 May 1736 before Lieut.-Governor Thomas Broughton. I arrived in Mobile 14 April last and found most of that colony and New Orleans amounting, with the Illinois, to near 3,000 men had gone to war against the Chickesaws.

(14) William Drake, late commissioner of Indian Affairs, to Charles Pinckney; Santee, 20 July 1736. We hear in the country that there is like to be some difficulty between the two crowns of Great Britain and Spain in settling the boundaries between us and the Spaniard, a matter which, howsoever it might be thought of elsewhere, is in my opinion of vast importance to the British interest in America and therefore should be well considered lest by bringing the boundary line too far to the

northward we should lose those advantages which is now in our power to obtain and which if we now omit it will be almost impossible for us ever to regain hereafter. It is rumoured that the Alatomaha river is to be the boundary as far as the head thereof and from thence by a west line to be struck to the South Seas, but this I hope is only rumour. I am sure it can only be so with those who are acquainted with the situation and importance of those countries that lie south and west of the Alatomaha and the claim and pretensions the English have to them. By the charter of Charles II to the lords proprietors of Carolina the latitude of  $29^{\circ}$  was fixed as the southern boundary of Carolina which you very well know includes the Spanish settlement of St. Augustine itself; and if you will look into Capt. Nairns's map of Carolina which I here enclose to you (lest you should not have one by you) you will perceive it also includes the mouths or entrances of the Apalachee, Chatahuchee and almost all the other rivers that empty themselves into the gulf of Mexico to the eastward of the Mississippi. Whereas should the Alatomaha be settled as a boundary we should lose thereby at least 100 miles extent of dominion on this Atlantic sea, and what would in process of time be of infinitely worse consequence to us we should be excluded from the mouths of those rivers aforementioned which would effectually hinder the settlement of the inland shores of those rivers by the English. For if the Alatomaha must be the boundary to the head thereof and a west-line to be struck from thence to the South Sea it will certainly render those parts of the Chatahuchee River which lie to the north of that line of no manner of consequence to us since it will be in the power of the possessor of the mouth of that river wholly to command the navigation of it, and you very well know that without trade and navigation no English colony on that river could subsist or maintain themselves for any considerable time in any tolerable degree of reputation among the native Indians. Therefore I can never imagine there is any grounds for the report of the Alatomaha's being the boundary. But if there is any inevitable necessity hanging over us to oblige us to submit to it, if from the head of the most southern branch of that river instead of the line's being run west into the South Sea it should be run due south into the gulf of Mexico it would leave us the navigation of the Chatahuchee free and undisturbed; but I had much rather see the Spaniard wholly excluded from the Florida shore than that the English should consent to give up one foot of their claim to this part of the world.

It is a policy I conceive should be steadily adhered to by the English not to give up to any other European nation any port on this eastern sea, for should we leave any considerable port or even an indifferent one on this shore in the hand of any other European prince they would not only have it in their power in case of a war with greater facility to invade us from thence, but would also in time were they so minded distress our trade from Jamaica and the Bahamas and wholly command the navigation through the gulf of Florida. And when they are once masters of these seas it is easy to foresee that they will extend their views and in time make themselves masters of the land also. It is for these reasons we should never consent to the Spaniards' encroachments anywhere to the north or west of St. Augustine, and the same reasons will hold good for our making ourselves masters of all the ports and rivers in the gulf of Mexico that lie to the east of the Mississippi. But if it should be objected that these rivers lie at present much out of the way and that the danger is too far distant to justify the running into any considerable expense to prevent it, let it be remembered that not a century and a half ago America itself was not accounted of much consequence and the possession thereof to the European prince was looked upon as a very trifling acquisition to their power or dominion though at this day it is viewed in a quite different light, and though it lay long neglected it is



now thought it would be a cheap purchase if the French King could obtain a considerable port or two on the eastern sea even at the expense of a whole year's revenue of all his dominions.

The last year I was appointed by this government as commissioner of the Indian trade to perform an agency to the Creek nation, and during my stay among the Creeks I took care to inform myself in the best manner I could of whatever I thought might concern the British interest in those parts. In my journey thither I crossed five or six rivers before I came to the nation and rode through a body of good rich lands for near 200 miles in length, among which there was hardly any intermixture of that that could be called bad; and after a journey of about 400 miles from Charleston I came to the Chatahuchee River which I have before mentioned, a place and country by far the pleasantest I have seen in America although I have been in several other parts beside Carolina. But the pleasantness and agreeableness of the situation is the least part of its value, its exceeding richness and fertility of soil and its being capable to produce every necessary of life is what makes its value inestimable. Upon this river, which is navigable as I am informed to the Upper Creeks, live the Lower Creek nation and from whence the Indians sometimes go down to the sea, and as I was informed by some of the Indian chiefs who have been down the river it takes them up a whole month to return in their canoes; from whence I conclude that from the Chatahuchee where I received this information it was 200 or 250 miles down to the sea. This river, after watering a fine country, empties itself into the sea at the bay of St. Joseph's in the gulf of Mexico as I have already observed and is in my opinion by much the most deserving consideration of any river that falls into that gulf: not the Mississippi itself though it leads into a far greater extent of country excepted, for the Mississippi is (as I am informed by one Capt. Henry Isaac, an Englishman but who had lived many years among the French on the Mississippi and who I found among the Creeks) so very shallow and full of flats at its mouth and its stream is so exceeding rapid that its navigation is rendered very difficult. But the Chatahuchee river as I am told has 10 or 12 fathom water at its mouth and carries its depth a considerable way up into the country and is adorned with several noble and beautiful islands which it surrounds and is not now, at least was not when I was there in 1735, possessed by any Europeans from one end of it to the other. So that there is no obstacle to hinder us (if we were as I hope we shall be so minded) to take possession of it.

Now some of the advantages which would accrue to the English by possessing themselves of this river, among many others, are these. We should be immediately in possession of a fine port and harbour in this gulf where now we have not an inch of territory, and here such ships as would use the same would lie in a freshwater river free from the worm which so much injures the shipping at Jamaica and the West Indies, and here they might very easily be supplied with masts and all other naval stores and the country would very soon abundantly supply them with all sorts of provisions. And as in that country I was informed by the Indians they have no hurricanes or hard gales of wind that ever blew down their trees, I would submit it to the navigators whether it would not be by far a more safe and convenient receptacle for our West India squadron than Jamaica, and whether from thence they could not as easily protect our trade and obstruct the Spanish flota in their voyage to Old Spain as from Jamaica. But what may hereafter prove of more consequence to us by our possessing ourselves of this noble river and the countries adjacent is this: it would render the French settlement at Mobile of little use to them, it would effectually prevent their increase and spreading in those countries, but above all would be

the best barrier we can possibly have against the encroachments of the French on the Mississippi; and of this the French are so sensible that Capt. Isaac beforementioned told me that whilst he was at New Orleans when the settlement of Georgia was first begun the French were then under a good deal of concern about it, but as they did not know particularly where the settlement was intended they concluded it must be on the Chatahuchee river and M. Bienville, the French general, sent a vessel from thence to the mouth of the Chatahuchee to learn the certainty of it with a design no doubt to give what obstruction he possibly could to it.

We know by daily experience that the French are endeavouring to unite their strength and join their hands from all their settlements from Canada and the bay of St. Lawrence in the north through the Mississippi and the gulf of Mexico in the south, by which means they will in time either gain all the Indians from St. Lawrence to the Mississippi to their interest or destroy and root out all the Indians who will not come into their interest as they are now attempting and, it is feared, with too much probability of succeeding against the Chickesaws, from which a very possible consequence is to be feared that in process of time they will be able to push the English in North America into the sea unless proper stands and barriers be in time (even now when they are to be had) made against them. Another good effect which I apprehend would ensue from our making a strong settlement on this river would be that in case of a war we might from thence and the settlement at Georgia with ease dispossess the Spaniard of St. Augustine and all the point of Florida which would prove of double service to us: first it would take away that relief which St. Augustine sometimes affords to their Plate Fleet in their passage through the gulf of Florida to Old Spain, consequently render his Catholic majesty less secure in his riches; and in the next place it would effectually prevent or save us from those depredations which in case of a war and even in times of peace are too frequently made from thence on the British subjects.

In my return from the Creek nation I lay one night at old Capt. Rawlins's on Edisto. He seemed to me to be a man of near 70 years of age and had served formerly as a soldier under King William of glorious memory in Flanders. In my discoursing about my journey to the Creeks he informed me that about 30 odd years ago he lived in that nation, and on my informing him what Isaac had acquainted me with as above he told me he believed it was very true, and added that he was with Col. Moore in 1703 in his expedition against the Apalachees and that he was down towards the mouth of the Chatahuchee and that he had never before seen so rich a country as that was excepting Flanders, and that it was a country in his opinion by all means deserving of the attention of the English.

If it be asked what right the English have to possess themselves of this country I answer that I am not lawyer enough to determine it. But I apprehend it is sufficient for us that it is within the bounds and limits of the charter granted by Charles II to the lords proprietors, and if Charles had power sufficient to grant it, which I shall not take upon myself to judge of, surely his present majesty has right and power sufficient to possess what his royal predecessor had before granted and which by the late Act of Parliament hath revested in the crown. And further as the subjects of his Britannic majesty did in open war under the command of Col. Moore in 1703 actually conquer the Apalachees who were the ancient inhabitants of that country and as it has never been since nor is now possessed by any other European nation, surely no dispute can arise whether we have not by conquest, acquisition or some other way the best right to it. But, alas, this right I am afraid will stand us in little stead unless we exert it, and by settling a numerous colony there of English subjects take actual



possession of that country which as a true Englishman and a hearty lover of my country I should extremely regret seeing in the hands of any other European power, and as the French at New Orleans have got it into their heads that we will one time or other take possession of it, I am really afraid that if the English ministry shall not think fit to do it soon we shall be prevented by the French being beforehand with us therein; and from whence all those evils I have just hinted at and many more which I have not time to enumerate will (I pray God avert it) like a torrent pour in upon us.

(15) Extract of Col. Barnwell's journals recording the grant by Louis XIV in 70th year of his reign to M. Anthony Crozat of the trade of Louisiana for fifteen years.

(16) Affidavit sworn by Joseph Barry, gentleman, of South Carolina before Joseph Wragg, 25 May 1738. Deponent states that the copies of letters dated 16 April 1704 from Col. James Moore to the Lords Proprietors of Carolina and to Sir Nathaniel Johnson of same date are in the handwriting of the said Moore. *Copy*, certified by J. Badenhop, C.C. 10 large pp.

243. iii. Accounts of imports and exports of port of Charleston for 1724-1735 by commodities and for 1 November 1735 to 1 November 1737 by commodities and ports of origin and destination. Like accounts for Winyaw and Port Royal for 1 November 1736 to 1 November 1737. *Printed*. 4 pp. *Endorsed*, Copy of several examinations, depositions and letters etc. in support of the representation of the president and C.-in-C. of South Carolina to the Board of Trade in May. Together with a large chart of that part of America. [*In another hand*: v. Book of maps] Transmitted under the great seal of the province which was taken off per S.G. Recd. from Mr. Fury. Recd., Read 27 July 1738. [C.O. 5, 366, fols. 109-119d; copy of covering letter and enclosures in C.O. 5, 384, fols. 23-36d.]

## 244

May 25.  
Southampton.

James Oglethorpe to Andrew Stone. I sent over to Cowes, but the ship from Havana was sailed. However I received the enclosed account from Isaac Foster, master of a merchantman who left Carolina the 13th April. Colonel Cockran with the part of the regiment under his command was not arrived there, unless the five ships off Augustine were those with him. The regiment is on board and Sir Charles Wager's orders for the men-of-war to convoy the transports are arrived, but Admiral Haddock has taken the men out of the *Hector* and *Blandford* which are to convoy us, and I fear that will occasion a farther delay of some days till fresh men can be got. *Signed*. 1 p. *Enclosed*,

244 i. Isaac Foster to James Oglethorpe, Cowes, 22 May 1738. I left South Carolina 13th April, the 8th of which month there came an express from Port Royal, the purport of which was that on the 6th there arrived a sloop from off the bar of St. Augustine where lay at anchor two large ships. He likewise saw three more nearby standing for said Augustine, he hoisting his colours but no answer. Supposing them to be Spaniards, he made the best of his way to Port Royal; which has much surprised the people in Carolina. The *Seafort* man-of-war and a privateer sloop sailed in company with me, and the *Rose* man-of-war was to sail in two or three days, and it was said they were going for Georgia and St. Augustine. *Signed*.  $\frac{3}{4}$  p. [C.O. 5, 654, fols. 141-143d.]

## 245

May 26.  
Jamaica.

Governor Edward Trelawny to Council of Trade and Plantations. My letter of 9 May with notice of my arrival went by the *Prospect*, Capt. Bowers; this goes by H.M.S. *Dunkirk*, Capt. Fox commander, and is to transmit to you the minutes and journal of the council of Jamaica, 1 September 1737 to 4 March 1737/8; the minutes of assembly, 2 February to 1 March 1737/8; and the laws

passed in the said sessions of assembly. *Signed.* 1 p. *Endorsed,* Recd., Read 26 July 1738. The box was recd. 29 July. [C.O. 137, 22, *fos.* 196-197d.]

**246** Same to Duke of Newcastle. [*In substance same as No. 245, reporting*  
May 26. *dispatch of papers to Council of Trade and Plantations.*] *Signed.* 2 pp.  
Jamaica. *Endorsed,* Recd. 25 July. [C.O. 137, 56, *fos.* 101-102d.]

**247** Governor William Mathew to Alured Popple. The 16th inst. I sent  
May 26. you by Capt. Rickotts (not Wage) a box containing three Montserrat  
Antigua. and one Nevis Acts. I cannot send the duplicates of them, they not  
being returned to me from those islands whither I sent them as usual after I had passed  
them to be published and recorded. But I enclose a duplicate of the testimony of Capt.  
Semmes being taken by the Spaniards, and I repeat my explanation of the latter part of  
that affidavit. Mr. Fleming about two years ago gave me notice, I being then at Antigua,  
that there was an information that one Edney (a notorious wicked wretch), who was  
master of a sloop from St. Christopher's trading on the south side of Puerto Rico, had  
met a Spanish sloop with a large sum of money on board, had plundered her, and then  
swearing his crew to secrecy had put all the Spaniards fast in the hold, among them six  
friars, and so had sunk her. This monstrous cruelty, though common enough between  
Dutch and Spaniards, is thank God very seldom heard of here between the English and  
them. It gave me great concern, and I dispatched orders for having this man well  
secured and all evidence against him brought together and examined before the judge  
of the Admiralty; and he took the evidence of one Claxton, which was pretty full. I went  
down to St. Christopher's soon after and called a court for trial of pirates; but the court  
being met, it appeared the judge of the Admiralty had bound the evidence under no  
recognizance to prosecute. The criminal I found upon bail, no evidence would appear  
against him, etc. This trifling did not please me. I ordered the prisoner to be recom-  
mitted till the evidence could be bound to appear, but I delayed bringing him again to  
trial till I could get evidence against so monstrous a cruelty even from Puerto Rico. But  
I now am informed he has been brought again before the court and acquitted. I am  
convinced from circumstances, though positive proof is stifled, the fact is true, and that  
it is not the first Edney has been guilty of. Which unfortunate, or how many, creoles  
the Spanish revenge may fall upon for this cruelty and for the treatment those cast away  
on the Anegadas met with, I cannot think of but with great concern. *Signed.* 3 small pp.  
*Endorsed,* Recd. 13 July, Read 2 August 1738. *Enclosed,*

247. i. Affidavit of Ignatius Semmes, commander of *Success* of London, sworn  
before Governor Mathew, Antigua, 13 May 1738. On 9 April last deponent sailed  
from Antigua for Maryland. On 14 April in latitude 19° 46' and 1 degree and 15  
miles west from Antigua, he was taken by a Spanish sloop commanded by Capt.  
Manoel. He and his crew were badly treated aboard the Spanish sloop, the gunner  
whereof (a Dutchman) tried to get deponent and Peter Semmes, his mate, murdered.  
This gunner said that he was on the Spanish pirate that took the *Loyal Charles*, Capt.  
Way. Capt. Manoel told deponent that the governor of Puerto Rico had sent him  
on this cruise and that another privateer or pirate had sailed from Puerto Rico at  
the same time. On 17 April they came into Puerto Rico; deponent and crew (except  
two detained by the Spaniards) were put in their longboat with little or no provisions  
and water only for one pint each day. They were turned adrift eight leagues from  
the Desert Island Passage and got to St. Thomas's and thence here. The Spanish  
sloop had four carriage-guns, eight swivel-guns, and fifty men or more. *Signed.*  
Deponent further states that the Spaniards declared their resolution to destroy the



creoles, for that an English sloop from St. Christopher's had plundered a Spanish sloop and then sunk her with all her crew fast in the hold, among whom Capt. Manoel said his brother was one. *Countersigned*, William Mathew. 2 pp. *Endorsed*, as covering letter. [C.O. 152, 23, fos. 150, 150d, 153, 153d, 155-156d.]

248

May 26. Robert Millar to Trustees for Georgia, reporting the failure of his mission to Vera Cruz. Notwithstanding the letter and licence from Kingston, Jamaica. Count Montijo, he was not permitted to travel in the country but was under surveillance the whole two months he was there. The only possibility of doing anything is by a person fixed there in the service of the South Sea Company. Intends to proceed to Georgia at the beginning of next year with the ipecacuana. *Signed*. 3 small pp. *Endorsed*, Recd. 25 July 1738. [C.O. 5, 640, fos. 105-106d.]

249

May 26. Thomas Causton to Trustees for Georgia. Having on 30 March last Savannah. received your orders dated 14 December with 200*l.* in sola bills as therein mentioned, I immediately thought myself obliged to express myself as fully to you as was consistent with the trust reposed in me. If I repeat things I have mentioned in some of my former I hope you will judge it flows from an inclination to represent the affairs of this colony in the just light. As my integrity to you and impartiality to the people is the basis on which all my hopes of your favours are fixed, extreme hard and unfortunate would be my lot if I should be supposed to state anything in a contrary manner when distance of place prevents me from clearing that which may in any shape or by any other representations seem doubtful to you. Your order (by your secretary) dated 7 March 1736/7 expresses your great concern that the people do not yet think of planting. In obedience to your order in that matter I have never failed giving necessary encouragement to those who have shown any industry in cultivating their lands and have represented to them the immediate inconveniences and fatal consequences of their employing themselves in any other manner; and notwithstanding the obstinacy and idleness of some who will no longer be satisfied than they are fed and the wicked arts of others whose names and practices you will be acquainted with by my journal, I can with satisfaction and truth say that there is now an appearance that some have resolved to pursue their interest by cultivation of land. To accomplish this (which I may venture to call a great difficulty) I have been obliged to give credit for their support far exceeding your limitations. But certainly so it is that the labour of clearing and planting, the uncertainty of the seasons, the dangers of sterile crops (sometimes occasioned by poorness of land), besides the advantages that artful men take in these cases over weak minds, makes it necessary they should be supported; otherwise it would be a great hazard if the most valuable part of the people did not leave the colony. I must further add that in pursuit of this I have endeavoured at frugality by stopping sometimes with those whom I have discovered to neglect their planting and make an ill use of their credit. But as it is impossible for me to be at everyone's elbow, my impartial views doubtless may have led me to credit some who have not truly deserved it. As it is to be hoped that some of the people by degrees may be led to know that the improvement of land is their truest interest, so by such an employ the spirit of contention may be so far abated that those who are obstinate and will either raise disputes or listen to those who do may become despicable. But as I have in some of my former letters fully and justly complained of the spirit of contention I shall not in this manner trouble you with any repetitious or fresh accounts, choosing to refer myself (just as they are) to a proper place in my journal, not doubting but that the continued endeavours of the magistrates in the just execution of the civil power will always be able to render ineffectual the

malicious designs of any private enemies although that lenity which they are apt to think necessary to be shown in the infancy of a colony makes that task difficult.

Your orders further express your concern for the ill effects which great credit must have on the people, and it would certainly add very much to their real happiness if you would send particular orders for regulating the same and suing for debts; and as such orders would consequently preserve them from being impoverished, so the law which you likewise mention for regulating the watch will necessarily add to their safety. But without these there is little prospect of their avoiding the one or that the other will be duly maintained.

By your accountant's letter dated 23 March 1736/7 I have an extract of the contract between you and Mr. Bradley and have since received two several copies of said contract at large. He wholly denies to be limited according to that contract and claims that he is to be allowed a salary of 200*l.* per annum and to be paid 90*l.* Carolina currency per month as wages for each of his servants. In regard that your orders by your accountant dated 11 August 1737 command that his account should be kept open, I have continued to deliver such stores as he from time to time demanded for your use. But that I might not be wanting in my endeavours to confine him to a proper frugality I have denied to deliver those stores as often as he has refused to certify they were for your service. If these deliverances of mine are not duly applied I am in hope (from your known justice) I shall not be blamed. But I must further add that in regard to his letter to me of 3 December, copy herewith transmitted<sup>1</sup>, (having first consulted Col. Stephens) I did in his presence propose to assist him as far as 20*l.* sterling. This did not seem to satisfy his desires (having demanded 100*l.*) and you may observe by his account already transmitted that he was afterwards assisted something exceeding my proposal, since which he has delivered me an account of what would be necessary for himself and family and the further cultivation of your farm for three months, copy herewith transmitted<sup>1</sup>, and of which he demands a continuance till the arrival of Gen. Oglethorpe. I will not trouble you with any further particulars having written on that head 1 March last and only say you will easily observe that these expenses have also vastly exceeded your limitations.

Your orders by your accountant of 11 August further mention the particular limitations for the expenses of the colony. But as (with submission) it was impossible such limitations could be perfected at their first rating I have used my utmost endeavour to avoid exceeding and hope it will not appear to be in any case unnecessarily done. As the supplying the necessary demands of the colony in all its parts has been the immediate business of the store under my care, time did not permit to post in a proper manner the several issues and receipts so as to know (when Mr. Oglethorpe went) what was the amount of the debts and credits, which being since stated, debts will appear to be owing to several who were not then called to mind so as to be mentioned in the account made up by Mr. Oglethorpe and me entitled necessary expenses at Savannah and places adjacent. But hope as to the several limitations in the northern division that when you shall receive the general account for 1736 you will order such a certain establishment as you shall judge necessary, it being a very uneasy situation to act without it. As such general account is now made up I shall endeavour to send it herewith. As to the southern division you will also receive an account of what has been sent to Frederica and places adjacent to 25 March 1738, and as I have written to Mr. White to make an inventory of his stores to the same time that will be also transmitted when it comes to hand. Although this letter was intended to be finished on 7 April the taking an inventory of stores and making up the general head of account for 1736 has till this time prevented its being

<sup>1</sup>Not found.



sent, and I hope you will not think it an unnecessary delay because the right stating of those accounts is the surest method I have of representing to you the reasons for the general expense whereby you may with more certainty fix your establishment.

Lieut.-Col. Cockran arrived here 6th inst. with the *Amy* and the *Whitaker*. The people on board the *Amy* were all in good health but those on board the *Whitaker* have been generally ill of fevers supposed to be occasioned by the lowness of her decks, and some have died. Capt. Fanshaw went into Charleston and it was at first believed he intended that all the transport ships should go in with him and that he would discharge them all there. Under this apprehension, Lieut.-Col. Cockran used means to prevent the transport ships from going there, as being a place very improper for anyone designed for Georgia to set foot in first, besides the danger of desertion and the great charges [that] must consequently attend their conveyance from thence to their respective posts. And the *Lightfoot* not coming in for several days he thought it necessary that the officers on board the *Amy* and *Whitaker* should make oath of the order he gave for not going to Charleston and of the reasons for so doing to the intent that if any representation should be made in England concerning such orders those affidavits (being transmitted) might justify him. The recorder and myself went at his request to Tybee to take those affidavits. Lieut.-Col. Cockran's apprehensions ceased by the arrival of Capt. Fanshaw with the *Lightfoot* on 13th inst. and it now appears that the signal which Capt. Fanshaw made when he went into Charleston was for the ships to proceed to Savannah and not to follow him. Therefore Lieut.-Col. Cockran, now finding the great care Capt. Fanshaw took to prevent the soldiers on board the *Lightfoot* going on shore at Charleston and his real readiness to finish his convoy in the manner H.M.'s service requires, does not think it proper to transmit those affidavits himself but will submit the matter to the general on his arrival. The people on board the *Lightfoot* are all in good health. I immediately hired all the pettiaugoes I could get and have made all possible discharge for the ships. As there are but few conveniences at the southward for the reception of the stores, they are for the most part landed here. Capt. Gascoigne arrived at Tybee the [blank in MS]. The *Amy* and the *Whitaker* are wholly delivered and Capt. Mackay with five pettiaugoes sailed 24th inst. for St. Andrew's with about 150 passengers. The remainder of the people and stores will go on board the *Lightfoot* and a small brigantine lately arrived here from New York, and proceed for Frederica under convoy of Capt. Gascoigne. As soon as the pettiaugoes return I shall transmit an account of the extraordinary charges on this head. Rev. Mr. Whitefield with the several people (except Mr. Tolly) mentioned in your orders of 6 January arrived safe at Savannah. Mr. Whitefield having been very ill in the passage has had a relapse but is now much recovered. As this place is without a minister and as Mr. Horton informed him there is no convenient habitation for him or place of worship now standing at Frederica, he chooses to tarry here till proper conveniences may be made there.

I have also your several orders of 11 January and 17 February in obedience to which I shall not certify any more accounts whatever. Those already certified will inform you in a great measure what debts are for the most part due to the several people concerned on account of the colony, but it will be impossible to give a particular account of the whole debts or credits till the account for 1737 (now making up) is likewise gone through. I hope that when you have seen these accounts and considered the issues thereon, you will not [find] many things unnecessarily done or that the confusion created by making expenses before the arrival of sola bills to defray them is culpable, because (with great submission) it is unavoidable till an establishment can be fixed. Signed. 5 pp. Endorsed, Recd. 15 July 1738. [C.O. 5, 640, fos. 107-110d.]

**250**

May 27.  
Whitehall.

Order of Committee of Council for Plantation Affairs directing that the following be sent to Council of Trade and Plantations for insertion of an article in the instructions now being prepared for Col. Horsey requiring him to take care that H.M.'s former instruction relating to the laying out of lands around Purrysburgh be put into execution. *Signed*, James Vernon. *Seal*. 1¼ pp. *Endorsed*, Recd. 31 May, Read 7 June 1738. *Enclosed*,

250. i. Petition of Charles Purry, son and heir of Col. John Peter Purry, deceased, to the King; 18 May 1738. In 1724 Col. Purry agreed with the lords proprietors for the peopling of South Carolina with Protestants but failed through want of money. He made a new agreement in 1730, and by an Act of assembly of that province was promised a reward of 400*l*. sterling for bringing over 100 effective men. The site of Purrysburgh was selected and the governor issued a proclamation that no person should be allowed to take up lands within six miles of the place. Col. Purry was further granted 48,000 acres on condition of importing 600 Swiss within six years, the land to be contiguous to that set apart for the town. Col. Purry performed his part but, notwithstanding the proclamation to the contrary, several persons in 1732 caused lands to be surveyed within six miles of the town to the great discouragement of Col. Purry and the Swiss. Notwithstanding H.M.'s instruction to the governor of 13 February 1734/5 that these lands should be for the use of the Swiss and for Col. Purry's grant, ill-designing people have surveyed for their own use those very lands which should have been surveyed for the Swiss; whereby many have perished and more been forced to disperse. Petitioner prays an instruction to the governor that the former instruction be fulfilled. *Copy*. 3½ pp. [C.O. 5, 366, fos. 74-77d.]

**251**

May 27.  
Whitehall.

Same, referring the following to Council of Trade and Plantations for examination and report. *Signed*, James Vernon. *Seal*. 1 p. *Endorsed*, Recd. 31 May, Read 9 June 1738. *Enclosed*,

251. i. Petition of David Dunbar to the King. After service in Spain, petitioner was appointed lieut.-governor of New Hampshire and surveyor-general of H.M.'s woods in North America in 1727. At his own expense he established settlements and founded townships upon lands then regarded as the western parts of Nova Scotia. The colony of Massachusetts obtained the government of this settlement in 1732. Petitioner has received no satisfaction for his disbursements and since his arrival in London has been sued and confined for the 'debts contracted in connexion with the settlement. He prays for consideration. *Copy*. 3½ pp.

251. ii. Account of disbursement of David Dunbar in connexion with the settlements mentioned in preceding, including building of stone fort and barracks for 100 men. Total, 4074*l*. 1p.

251. iii. 20 August 1737. Certificate by Thomas Durell, then commander of H.M.S. *Scarborough*, that in 1734 he put into Johns River and saw Frederick's Fort and some of the townships. Great improvements had been made. *Copy*. ½ p. [C.O. 5, 880, fos. 275-280d.]

**252**

May 27.  
Whitehall.

Same, referring the following to Council of Trade and Plantations. *Signed*, James Vernon. *Seal*. ½ p. *Endorsed*, Recd., Read 30 May 1738. *Enclosed*,

252. i. Petition of John Cartwright to the King in behalf of himself and several others. The vast quantities of uncultivated lands in South Carolina, particularly between Santee and Watree rivers, could be rendered advantageous to this kingdom in the production of hemp, pitch, tar and other naval stores, with which English



merchants are now supplied from the Baltic at an expense of near 250,000*l.* a year paid in ready money; but if those commodities could be furnished from our own colonies they would be paid for by the manufacture of Great Britain. The petitioner and his associates are willing to settle 200,000 acres, if granted to them in sixteen different tracts between Santee and Watree rivers. They will settle 400 Protestants in ten years and more as they find encouragement. It is intended to contract with persons from foreign parts whence hemp and naval stores are now imported. A great many servants and slaves will be necessary more than the 400 settlers. The lands are at a great distance from the seat of government and will be a kind of barrier to the inner parts of the colony. Petitioner hopes for exemption from quit-rents for ten years and prays for orders to the governor and surveyor of South Carolina that the lands be laid out at no greater fees than what has been taken in running out townships in that province. *Copy. 2 pp. [C.O. 5, 366, fos. 58-60d.]*

253

May 27.  
Whitchall.

Same, referring the following to Council of Trade and Plantations for report. *Signed, James Vernon. Seal. 1 p. Endorsed, Recd., Read 30 May 1738. Enclosed,*

253. i. Memorial of Henry McCulloh to the King. (1) The revenues of the colonies in America could be increased if they were put under proper regulation. The Council of Trade and Plantations have not hitherto fully succeeded because they have not been properly advised of the true state of the colonies and because of the great dependence the governors have upon the people. (2) This is visible in the case of the quit-rents payable to the crown in North and South Carolina, Virginia and New York. (3) Until 1718 in South Carolina and until 1724 in North Carolina the Proprietors empowered their governors to grant lands under certain conditions; but the general practice was to dispose of the lands by purchase reserving only small quit-rents. The Proprietors' officers' salaries being paid from these sales and their allowance being as they thought too small, they for the most part issued patents without regard to the original instructions and shared the money arising amongst themselves. (4) The Proprietors closed the land offices in 1718 and 1724 respectively, which was a prohibition upon grants without their order. But the governors and council issued patents for large quantities without surveys or plots returned. The Proprietors' surveyor remaining for some time after H.M.'s purchase as surveyor of South Carolina surveyed 36,581 acres and his deputy afterwards run out 45,843 acres, lands of the best quality and subject only to trifling quit-rents.

(5) In 1730 there was a land tax in South Carolina; the land returned as possessed appears to have amounted to 1,453,875 acres which at 12*d.* sterling per 100 acres the quit-rents thereon make up 908*l.* 12*s.* 6*d.* proclamation money. (6) In 1731 when the quit-rent law passed, persons holding patents from the Proprietors and having no surveys were admitted to have warrants for surveys. But no warrant issued till H.M.'s pleasure should be known, and the law was not approved of. Provisional surveys were, however, made. (7) From 1731-1735 vast quantities of land were granted under H.M.'s 42nd instruction to the governor. The intention of the instructions to settle people was evaded. (8) Warrants were obtained by some and the land then conveyed to others; they have jobbed the land in such a way that it is scarce possible to come at the right owner of them. (9) The governor and council have granted large tracts of land to themselves and their friends under various pretences. (10) There appears to have been 750,406 acres granted between 1731 and 1735 which at 4*s.* proclamation money per 100 acres would amount to 1500*l.* 16*s.* (11) From Governor Johnson's death till last May warrants were issued for above 900,000 acres

which at 4s. proclamation money per 100 acres would amount to 1,800/. The warrants issued for the townships are expressed in a different manner from the others and the whole quantity run out on that account amounts to 1,595,000 acres. (12) In North Carolina there were greater frauds by the officers of the Proprietors than in the South, particularly from 1726 to 1730. If the disputes there were properly settled the quit-rents would amount to at least 1,250/. proclamation money p.a. more than at present.

(13) In Virginia few frauds seem to have been committed till 1721. Two new counties were then erected, Brunswick and Spotsylvania. Grants of large tracts of land there were made conformable to powers the governor did not then possess. In 1723 the governor was empowered to grant land in those new counties free of quit-rents for seven years from 1721 with dispensation from payment of purchase money of 5s. sterling for every 50 acres in lieu of former rights in that colony; but at the same time the governor was ordered not to grant more than 1,000 acres of land to one person in their own or other name. But grants passed in 1721 and not settled according to their tenours in 1728 (the time the quit-rents became due) the possessors got some of their friends to petition for them as lapsed lands which was granted by the governor free of quit-rents for three years; when that time expired another friend acted for them in the same manner; and so they have continued to this time.

(14) It is computed that in this manner there is above 1,400,000 acres of land granted, the quit-rents of which at 2s. per 100 acres would amount to 1,400/. sterling p.a.

(15) The present governor has done many commendable things particularly in putting their current bills on a good foot. His doing wrong in granting lands is very much owing to his being under a necessity to oblige the principal men in the colony on whom he depends for support. (16) In New York the governor and council have used very little ceremony in the fraudulent method of granting lands; some private persons there claim almost whole counties, subject to trifling quit-rents, though many of them by their patents ought not to possess more than 20 or 30,000 acres. The only pretence they have for procuring these grants originally was either public services or purchase from the Indians. If the quit-rents were properly settled there, they would amount to at least 3,500/. p.a. more than at present.

The crown is thus defrauded in those several colonies above 8,000/. p.a. in quit-rents and by the precarious titles of the lands strangers are prevented from settling. In other ways the credit of the colonies is lessened: properly regulated they could increase our trade by 200,000/. p.a. The means of bringing these matters to a right footing, and which is much easier now than hereafter, seems only possible to be effected by the appointment of a person proper qualified to act as inspector and comptroller-general and who with regard to the northern provinces may settle those matters in four or five years having proper powers and particularly the following: the governor of each province to order the secretary and surveyor-general to lay their accounts before the inspector by which he may judge what grants are made out conformable to the warrants issued and what warrants remain without any return, and the secretary to give an account by what rights the warrants were originally issued; persons who have had warrants and not taken out grants to be summoned to show why, such as are willing to take out grants subject to the quit-rents of 4s. proclamation money per 100 acres to be at liberty to do so provided they pay the quit-rents from the expiry of one year after the date of their warrants, otherwise the warrants to be void; the inspector to be empowered to give notice to all persons having grants for land not settled or that have not paid quit-rents for the same that they should give reasons for not having acted conformable to the tenour of their



grants, which replies are to be transmitted home, but the inspector not to have power to vacate the grant till H.M.'s pleasure is known; persons having warrants and have not taken grants or such as have not settled their lands and paid quit-rents who refuse to comply with H.M.'s order enquiring why they keep the lands, the inspector should be empowered to order the attorney-general to prosecute them and make them show cause.

The inspector will be able to make a rent roll: till that is done it will be impossible to settle the disputes depending in the colonies or to establish a quit-rent law on a proper foot. Many of the frauds proceed from the irregularity of the offices. When the councillors issue warrants for lands they are generally parties concerned; the secretary has no check upon him and may let warrants lie over seven years before they are given to the surveyor, and after the survey is made it often lies many years in the surveyor's office, the warrants not being returnable in any limited time. To remedy this, it is proposed that the governor may be ordered not to grant lands but when five councillors are present and that none of those five shall have any concern in the lands petitioned for, that the governor shall order the petitioner to prove his rights before the auditor, that upon a certificate from the auditor the warrant shall be made out by the secretary and delivered to the surveyor returnable in twelve months from the date, that when the grants are made out by the secretary they shall be audited and entered in the auditor's office, that the receiver-general may be always admitted to take copies from the auditor's office and that in the return of his accounts he should give the particulars of the quit-rents received in each precinct and from whom; if this method is followed and the deputy auditor return home copies of books to the auditor-general, it will be easy to see what they are doing.

There is another matter deserving the consideration of the crown. The people in all these colonies and particularly in South Carolina have been so far from endeavouring to support the credit of their current bills that they have committed great abuses in often depreciating their currency with the view of discharging their debts more easily to merchants in England. This at first they had an opportunity of doing but afterwards the merchants took care to advance their goods upon them in proportion so that in the end the planters were not great gainers by it. Yet it discourages many from trading there. What could answer this end in South Carolina (and with little variation in all the other colonies) would be to allow them to issue bills for 210,000*l.* that currency, 110,000*l.* of which must be applied for the discharge of their present bills of currency and the other 100,000*l.* to be lent out on land security at 6 per cent. interest. As much of the public revenues should be mortgaged as will make good the fund of 110,000*l.*; the interest arising should be paid into the managers who should be empowered to lend two-thirds of the money at 6 per cent. interest to poor persons coming to settle in the province. [*Further particulars given.*]

Though the lands of Pennsylvania are not so good as in Carolina and the quit-rents are 4*s.* 2*d.* sterling per 100 acres and they are also obliged to pay Mr. Penn a premium for the lands, yet the advantage they have in borrowing money from the loan office that is erected in that colony encourages foreigners to settle there so that since 1729 they have had above 2,300 persons transported to settle there.

Another thing that wants considering is regulating the cask into which they put pitch and tar and also the quality of those goods. Planters have for the most part brought them to market without being merchantable and have tendered them as money. The quantity imported into this kingdom is about 90,000 barrels p.a. which does not sell at above 4*s.* per barrel, but if the quality was good they would produce 14 or 15*s.* per barrel. Proper officers should be appointed in each precinct to mark

the cask and examine the quality and to be liable to pay treble the value of any marked that were not merchantable. 17 pp. [C.O. 323, 10, fos. 121-131d.]

254

May 27.  
St. James's.

Royal commission to Lieut.-Col. Robert Carpenter to be lieutenant-governor of Montserrat in the room of William Forbes, deceased. Entry. 1 p. [C.O. 324, 50, p. 170.]

255

May 27.  
Savannah.

William Stephens to Trustees for Georgia. My last was of 15th ult. to Mr. Verelst, enclosing copy of journal 1 March-15 April. That letter was committed to Capt. McKenzie, master of the *Baltic Merchant* bound for Cowes; but the ship when full laden struck on the bar going out of Charleston and the cargo was in danger of being all spoiled as also the ship in great hazard of being lost, so that what letters were in her for England I am since informed were put on a small vessel bound for Poole. My duty and promise call upon me to transmit you some further state of the several settlements in this province; but the late posture of affairs here for a pretty while past would not admit of anyone's stirring far from home without incurring the imputation of skulking out of harm's way, which character I should be very unwilling to have stick upon me but would rather appear among the most forward in withstanding any attempt that might be made against us. And it is justice due to the people in general to say of them that I observed a firm disposition to behave themselves like men in case of being invaded, few, very few (I wish I could say not one) slipping aside at the time when we had most reason to be upon our guard and when we really expected an attack. Whether our apprehensions were well-founded or not is yet unknown to us, but when our neighbours of Carolina were so far alarmed it was but reasonable for Georgia to look about them. All these doubts were perfectly at an end on the appearance of Col. Cochran, see my journal.

All party strife seems at present to be asleep and everybody quietly following their own business, which possibly might with no great difficulty be accounted for by looking back into the conduct of a few whom I would rather choose to say no more of since probably we shall not again have occasion hereafter to look on them as capable of playing the same game over twice and imposing on the common understanding of their neighbours who otherwise would prefer peace to contention. And were it not for one cursed evil which is got among us and which all the endeavours of the magistrates have not yet been able to root out (I mean that scandalous practice of selling rum in private houses) I verily think we might expect such a reformation among these people as would be well pleasing to the Trustees and entitle them to be looked on as favourably as ever. Surely this is not so incurable but that we may hope to see it effected when we are so happy to find the general here who will not be defeated easily in so good a purpose. To speak my mind freely I am firmly persuaded in myself that the wellbeing or utter ruin of this town depends upon it. These are the nurseries of all villainy where servants are debauched and defraud their masters of anything they can lay their hands on to purchase such spirits.

Notwithstanding this proneness to idle courses among the lowest rank of people (which I will not despair but may be remedied) here have not been wanting this year a good number of industrious men who have applied themselves to their proper work whether as artificers and handicrafts or in cultivating their lots and planting them in such sort that I may venture to affirm they have far exceeded anything hitherto done or what I once feared I had little room to expect: which is an indication they are not so averse of themselves to that work as they are subject to be misguided by some few whom I have divers times taken notice of before, that having thrown up their plantations



made it their business to discourage everybody else. It has been no small part of my endeavours here to obviate that dangerous doctrine and to persuade such as were lukewarm about planting that the only way to preserve your good opinion was by going heartily about it, that it was the very foundation whereon the colony was to stand, and he that expected to raise himself on any other would mistake in his aim. I have a little vanity to think that all was not lost which I said on that occasion frequently, and when they found me in earnest persuading them to do no otherwise than what they saw me do myself with five or six hands (for at a medium I have not had more by reason of sickness among them) cleared 15 acres of strong timber land in few months and planted it, I conceive example was not the weakest argument. It is my full purpose to lay before you very soon a particular account of the number of acres planted and by whom, and if in time coming the inhabitants of this town and neighbourhood go on *pari passu* with what they have done I make no doubt but they will be able to support themselves. The two settlements of Ebenezer and Darien ought indeed to take place of all others in the list of deserts, for they seem already to be near out of leading strings and want but little to stand alone. N.B. No rum to be had yet in either of those places, but the people live soberly under the influence of their ministers, the first Lutheran, the latter Calvinist. It is much to be wished the inhabitants of Savannah could equally lay claim to a commendation for regular living; but as they are a mixture of various people bred up in different modes of religion it can hardly be expected (I doubt) to find uniformity among them either in doctrine or faith immediately. Nevertheless it may be hoped in time to see Protestant dissenters here in this town in communion with our church. But it cannot without shame be said that the Jews who live among us are not in appearances greater infidels than some are in practice who pass for Christians in name but scarce ever join in any religious worship; and these are not of the lowest rank of people but by outward show would appear inferior to none, and out of this class most of our politicians have sprung up who think themselves qualified to reform what they conceive is amiss in Georgia. But monkeys in climbing will always discover something not fit to name.

Mr. Whitefield's appearance among us at this juncture was matter of comfort to many well meaning people and the qualifications he comes with (which he has already discovered) if he continues to exemplify them, as I make no doubt of, must endear him to all good men. Far be it from me to make any uncharitable reflections on his predecessor, who was a man of unquestionable abilities to perform the ministry committed to his charge and I never observed any due respect wanting towards him from the generality of the people till that unhappy breach between him and Mr. Causton's family which grew to such height that great part of his hearers fell off and forsook the church, so shamefully had party pique transported them. Mr. Williamson is going now for England (as he tells us) who together with his wife gave the first rise to this sad division, which increased so as at length to become a case before the grand jury that consisted of more than forty men who thought it worth their cognizance, and they took upon them to censure Mr. Wesley's conduct in divers instances, the consequences whereof I need not name, much less shall I presume to offer any opinion of my own in it; knowing the whole affair on each side has been long since laid before you who are the sole and proper judges. Mr. Delamotte I understand is going home also who undoubtedly merits this commendation, that he has been truly assiduous in keeping the school and instructing a good number of children in their catechism, so that it must have been a great misfortune on this place to have lost him had you not been so good to find another to supply his room. I have been desirous to inform myself, pursuant to my instructions, concerning the births, deaths etc. of the inhabitants, but Mr. Wesley's going off so suddenly and unexpected by me in a short time after my coming deprived me of that

knowledge, he having taken that register with him, as I am told by the clerk whom I have bespoken to take an account of those things for me henceforward.

It is with pleasure I can acquaint you that the encouragement given to a potter for carrying on that manufacture was not ill bestowed, for it is very apparent the bounty was rightly applied: the building, a convenient dwelling-house with a large kiln in a room annexed together with two other large rooms, one for a workhouse and the other for a storeroom, all in one compact building, well-contrived, handsomely finished, and very well accommodated for carrying on the work, sufficiently show it. The master of it is a sober, diligent and modest man. He has baked off two kilns of handsome ware of various kinds of pots, pans, bowls, cups and jugs, fit for many uses, and though it was a large quantity they are found so convenient that he does not want customers to take them off his hands at a reasonable price. This, however, he seems to set no value on in comparison of what may be expected. His next aim is to do something very curious which may turn to good account for transporting, and he is making some trial of other kinds of fine clay, a small teacup of which he showed me, when held against the light, was very near transparent. Indeed from what I have seen in the progress of that work I must conclude it cannot fail of proving a manufacture that will find good value abroad, or I am very much deceived. Your silk manufacture most certainly from good experience will also come to perfection in a little more time. But this unkind March which cut off our early mulberry leaves proved not a small baulk to it, as I wrote you before. Our neighbours of Carolina are so far convinced of the utility of that manufacture and the reasonableness of expecting success in it that they discover a great desire not to be behindhand with us, for my correspondent at Charleston writes me that their assembly have settled a salary of 100*l.* per annum sterling for seven years upon a Piedmontese and his wife who are to teach them the manufacture of silk in all its branches, and they are to take several apprentices.

In frequent conversation with Col. Cochran, among other things talked of that seemed to be conducive to the good of this colony, it was imagined that if the Trustees thought it expedient to send out two ships in a year for this port, freighted on their own account, whether with meat from Ireland or any other loading they thought proper, one of which to arrive here at the latter end of the year, any person in England corresponding here either with the civil or military part of this province would find great convenience in sending such goods of all kinds as were called for and needful, paying freight for all goods so sent in abatement of the charge of the first freighters, and such ship arriving here in the months of November or December would be certain of freight home again from Carolina with rice etc. Whereas now whatever comes for this province by the way of Charleston comes at an exceeding dear rate and costs at least half as much to bring it thence as the first expense of freight thither. This has been so often the subject of our discourse and the oftener talked of the more approved among us that Col. Cochran engaged me to represent it to you. *Signed.* 5 small *pp.* *Endorsed,* Recd. 15 July 1738. [C.O. 5, 640, *fos.* 111-114*d.*]

256

May 27.  
Savannah.

William Stephens to Harman Verelst. I wrote you 15th ult. Your favour of 17 February last came to my hands about ten days since. How long it had lain at Charleston is not known, letters often taking near half as long time in their passage thence as from England. It was short and sweet: the good news it brought was fulfilled in part by the arrival of Col. Cochran before it and we are next in daily expectation of your general with the remainder of the regiment. What you enclosed from my very good friend at Whitehall gave me further pleasure; where he was pleased to signify to me the confirmation of what was so long wished for



by all who have a just esteem for him. But (if I guess right) the necessary consequences before he can be dispatched through the several offices must take yet a little more time and leave his friends here in a farther expectation when to see him in America. I give you the trouble of the enclosed most heartily to congratulate him thereon, but if I should happily be mistaken in my calculation of time and he outstrips all remoras so as to be nearer us than we look for, I hope it may be accepted by his good family as a testimony of that sincere respect I owe them all. By a gentleman who came here lately from Charleston I was informed there was a packet left by the captain of a ship newly arrived with Mr. Godine, directed to me and said to come from Col. Horsey. But as I have yet no other tidings of it I wait with some impatience to know farther. After so many months passed over, wherein I frequently took occasion to lay such observations before the Trustees as I conceived were to be expected from me, I begin now to entertain some expectance of being informed whether they met with approbation or censure. For, as I am advised, so I ought to conduct myself in all things whereby I might render my service acceptable to them and the more agreeable to myself. Their orders you sent me a good while ago, recommending it to the inhabitants to commit what letters they sent for England to my care for a safe conveyance, I gave public notice of both here and the south. But it has never produced more than one dirty one, which is enclosed, I know not from whom; and I heard it had been said by some of our wiseheads that it looked as if the Trustees had a mind to get all letters into their own hands, so jealous are some folk lest their dark work should come to light.

I would ask your leave just to touch again upon a few more of my mischances about servants as I have used that liberty with you from the beginning. My two first women servants (you have heard) proved errant whores, and one that I got since to do the necessary offices of the house, being a man's wife whom her husband was willing I should employ at monthly wages for a while, soon proved so forward with child that I had little time more than enough to send her home again before she wanted a midwife. So that at present I am perfectly destitute of such help. But I shall try again what may be done if any means can be found. My menservants have never yet been all well together but generally two or three or more sick at a time, so that the doctor has scarcely one day missed occasion for a long while to exercise his faculty upon them, and a few days since one of them died who happened to be the same I wrote you I had swapped with the Trustees, giving you my reason for it then, but it happened I was bit, the fellow proving of a rotten constitution, otherwise a good servant; and if out of ten I could say half of them were such I should think myself much at a par with my neighbours. For generally they are a vile crew (as you can easily imagine who know from whence they spring) and it is odds whether laziness be what their masters find the worst fault they are guilty of, though that is bad enough when their work will not pay for their food and clothing. That fellow Anthony Binks, who came recommended from a lady at Kensington, for a while put on the show of one who meant to do well and I made him (in the main) a domestic servant, but a little exercise sometimes in the field was requisite and I expected both of us should have been pleased. This fellow, notwithstanding he was so distinguished that I often put confidence in him to deliver out provisions to his fellow-servants, could not hold it longer but turned out to be an egregious sot and then (no wonder) a downright villain; for after he had suffered himself to be seduced by a pack of rascals and learnt in private to drink rum, which the town is poisoned with, it is not hard to conceive that my stores went to pay for it and he was got that length as to be seen drunk by me before breakfasttime, making no value of all the admonitions I gave him insomuch that there was a necessity of my taking some other course with him if he persisted, which he beginning to be apprehensive of from a consciousness of his

own want of power to reform, the next thing he attempted was to run away and leave me, see journal of 4th inst. After his being intercepted he lay a while in prison, and upon Mr. Horton's coming hither lately to wait on his lieut.-colonel, I advised with him and he took him with him to Frederica where proper employment will be found for him in digging and wheeling at the public works carrying on at that fort, and where I am promised his labour shall not be spared so that he may learn not to be idle or drunken. Two of my Highlanders out of three that I had prove pretty well, and if I reckon two more to add to them out of all the rest it is as far as I can venture to say at present; which (leaving that rascal out of the list) brings it to about half, as I said above. *Signed.* P.S. Col. Cochran tells me he has a great many plants of trees and vines coming from England and that the quartermaster, Mr. Wanset, who was some years about Bordeaux and understands the nature of a vineyard perfectly well, designs planting this season, if a ship comes directly for this place before Christmas, a vineyard of 4,000 plants, a thing which might be of great advantage to the colony. 2½ pp. *Endorsed, Recd. 15 July.* [C.O. 5, 640, fos. 115-116d.]

257

May 28.  
Savannah.

William Williamson to Trustees for Georgia. I received a letter from Mr. Verelst dated 14 December last wherein he acquaints me that you have ordered a copy of my letter to you dated 9 September last and of my wife's affidavit therein enclosed to be sent to Mr. John Wesley for his answer thereto, that my complaint and his answer might be considered of at the same time. He further acquaints me that it was very wrong in me to order the presentments of the grand jury and my wife's affidavit to be printed, adding that it was taking a remedy and appealing to the world at the same time that I was applying to the Trustees of the colony to consider my case. He further adds if I should have any further complaint against Mr. Wesley or anyone else that I am desired to let the party complained against have a copy of such complaint that they may at the same time send their defence, for that you cannot determine on hearing one side. I did not intend to trouble you any further about Mr. Wesley who, after having sufficiently exposed himself in these parts by his notorious behaviour, run away from hence in the beginning of December last, after having refused to comply with an indulgent demand of the magistrates, which was to enter into a recognizance by himself only to appear at the court of Savannah when required to answer the presentments of the grand jury, and after a public order of said magistrates that he should not depart the colony till he had so done. Col. Stephens tells me he has long since acquainted you very fully with all particulars of Mr. Wesley's behaviour in my affairs, therefore I shall not take up any more of your time in so worthless a subject; but must beg leave to answer some particulars of Mr. Verelst's letter from which I am apprehensive you have not received my complaint in so kind a manner as I presumed to hope and that you are not so well acquainted with my character and behaviour in these parts as I could wish.

As to the order on my complaint I could not expect you would proceed any further than the same inasmuch as I was and still am very sensible how difficult it must be for anyone (who was not an eye-witness to the facts) to believe that so upright a man as Mr. Wesley has always endeavoured to show himself (or rather pretended to be) should be guilty of so much premeditated wickedness as I represented. I hope you will not continue in your opinion that it was wrong in me to order the presentments of the grand jury and my wife's affidavit to be printed when I acquaint you that my name and character was first exposed all over Carolina and in some parts of New England, after which I humbly conceive I had a just reason to take that remedy and a right thereto, though by the artifices of Mr. Wesley I never could procure them to be printed. But further



on this head, since my arrival in this province I have always showed myself zealous as well to promote the interest thereof as to defend the honour and justice of the administration of affairs in it. For this reason as well as for my own private account I thought it necessary to print said presentments, and the magistrates well know I often told them that it might very well be presumed from Mr. Wesley's behaviour that he would stick at nothing to scandalize them and their proceedings and to lessen the honour of the Trustees; wherefor I looked upon printing said presentments as a public service, not doubting but Mr. Wesley would falsify them, which you will perceive was afterwards done by a paragraph in the Charleston news in the enclosed *Carolina Gazette*<sup>1</sup>. As to that part of this news which relates to Watson, at Mr. Causton's instance and by his approbation I held a correspondence with the printer at Charleston in order to print any occurrences here that might be beneficial to or tend to clear up any former misrepresentations of the colony: accordingly among others I sent that paragraph relating to said Watson which is a truth too publicly known here for any inhabitant to be ignorant of, yet I am well informed and assured that Mr. Wesley asserted it to be a falsity and also procured the recantation as well as the other paragraph relating to the presentments etc. to be printed.

As to any papers to which my complaint refers, Mr. Wesley had sufficient knowledge of every particular and what proceedings were had here in regard to 'the party complained against having a copy of the complaint'. You will be fully acquainted with them by Mr. Causton's journals at whose instance, in regard he urged to me the public peace and good, I agreed to the several propositions of accommodation which he made to Mr. Wesley whose guilt you will perceive not only furnished him with the evasive answers he made to such propositions but also spurred him on to illtreat his best friend (Mr. Causton) in the manner he since hath done. No doubt you well know that had such an unjust action been done by any clergyman in England (though of superior dignity to Mr. Wesley) the course of law could not have been stopped but must have been free and open against him. At the same time I hope you will not think I complain of the indulgence of the law here, which on the contrary I look upon as a great happiness to the colony. But I mention this in regard Mr. Verelst's letter seems to hint that you are not well pleased with my conduct in this affair, when it is well known I suffered myself to be daily illtreated by Mr. Wesley and did not use him in the manner he deserved for no other reason than because Mr. Causton told me such conduct would be displeasing to you and a hurt to the public peace which at that time and on that very affair many ill designing persons were too much inclinable to break. Otherwise I never had troubled you with a complaint on that head. But should I ever have any further complaint to send to you I shall always endeavour to act in it with as much regard to the public good and with as much justice and truth as I have done in this against Mr. Wesley. Finally, I must presume to hope you will consider the cruel injustice of repelling a person from the Lord's Table who comes there with a pure zeal and unfeigned sincerity. It is an action of too black a nature to be lightly treated and can admit of no construction in favour of the doer who, though he were punished in the most severe manner the law requires, can never restore to the injured the peace of mind he has taken away. *Signed.* 2½ pp. *Endorsed*, Recd. 15 July 1738. [C.O. 5, 640, fols. 119-120d.]

258

May 28.  
Savannah.

Thomas Causton to Harman Verelst, enclosing copies of journal from 24 May to 24 July with the several papers referred to, for presentation to the Trustees, and other letters for forwarding. The clerks could not

<sup>1</sup>Not found.

finish the general heads of accounts so as to be sent by this opportunity, but will be forwarded as soon as possible. *Signed.* 1 small *p.* *Endorsed,* Recd. 15 July 1738. [C.O. 5, 640, *fos.* 117-118*d.*]

259

May 30.  
London.

James Abercromby to Thomas Hill. At their lordships' desire, I have examined the journals of South Carolina anent our boundary affair and find many applications by us on that head but particularly in January 1735/6 I find the governor and council recommended our account to the assembly. In March thereafter I find a memorial from Mr. Skene and myself praying 88*l.* 14*s.* 9*d.* Carolina money for expenses, and in consequence thereof the governor gave us an order for 47*l.* 5*s.* currency; 325*l.* 15*s.* more was to be paid us out of the contingency money for next year, but the assembly granted no money for contingencies so that was not paid. In March 1736 I find an application from the governor and council desiring the lower house of assembly would allow us a guinea a day for the 54 days of service, which the lower house would not agree to. The journals of 1737 have not yet been transmitted but I lay before their lordships copy of a memorial presented by Mr. Skene to the governor and assembly in March 1737/8 as also copy of a paragraph in Mr. Skene's letter to me, by which it appears that our expenses and salary together amounted to 1,892*l.* 6*s.* 9*d.* Carolina currency, out of which 474*l.* 5*s.* has been paid; so that there remains due 1,418*l.* Carolina money or 202*l.* 12*s.* sterling. I submit the expenses of the several applications for this sum to their lordships. *Signed.* 1½ *pp.* *Endorsed,* Recd., Read 30 May 1738. *Enclosed,*

259. i. Paragraph in letter from Alexander Skene to James Abercromby; Carolina, 21 March 1736/7. Copies of our journal and of the memorial laid here transmitted. The governor and council thought the memorial most reasonable, but the majority of the assembly said it ought to be paid out of the quit-rents. Unless you can get redress at home, we shall sit down fine losers. *Copy.* ½ *p.*

259. ii. Memorial of Alexander Skene for himself and James Abercromby to Governor and Council of South Carolina, requesting payment of salary and expenses in running the boundary out of the ensuing tax or the overplus of what the land tax brought in, very large quantities of land having been given and paid for by means of the boundary line being settled as far as it now is. *Copy.* 1 *p.* [C.O. 5, 366, *fos.* 61-64*d.*]

260

May 30.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle. We have had the instructions for Col. Horsey some time under our consideration. But we find both North and South Carolina in very great confusion with respect to their titles, the king's quit-rents, paper money, duty on negroes, and many other particulars which should if possible be settled before Col. Horsey goes to his government or he will not have it in his power to give the people satisfaction in these important points. We are now preparing a representation upon these heads, previous to the fixing of Col. Horsey's instructions. But if you desire that Col. Horsey should be dispatched with the same instructions his predecessor had, they may soon be ready for H.M.'s consideration. *Signed,* Monson, M. Bladen, R. Plumer. 1½ *pp.* [C.O. 5, 384, *fos.* 37-39*d.*; entry in C.O. 5, 401, *pp.* 259-260; draft in C.O. 5, 381, *fos.* 269-270*d.*]

261

May 31.  
Whitehall.

Same to same, enclosing the following papers relating to seizure of English sloop by French. *Signed,* Monson, M. Bladen, Edward Ashe, R. Plumer. 1 *p.* *Enclosed,*

261. i. Extract of Governor Mathew's letter to Council of Trade and Plantations,



31 March 1738. *See* No. 132.  $1\frac{1}{2}$  pp.

261. ii. Declaration of Dominick Lynch, merchant of Barbados, 18 February 1737/8. *Copy* of No. 132. i. 2 pp. [C.O. 152, 40, *fos.* 323-329d.; entry of covering letter in C.O. 153, 16, *fo.* 71d.]

## 262

May 31.  
Palace Court.

Minutes of Common Council of Georgia. Resolved that 434*l.* 13*s.* 4*d.* be paid to Capt. William Thomson in discharge of 56 servants received of him for the Trust. Mr. Causton's certificate of stores and necessities amounting to 469*l.* 1*s.*  $1\frac{1}{2}$ *d.* delivered by Capt. Thomson was considered; resolved that the Trustees will not pay it but that it be returned to Capt. Thomson to recover of Mr. Causton, 400*l.* to be lent to Capt. Thomson on bond till he do recover. Resolved that 50*l.* be paid to Simeon Levy being so much out of a certified account to Minis & Salomons in August 1737 which was paid in sola bills. Resolved that David Provost succeed Joseph Hughes in his lot at Savannah; that the two seaboats purchased by Col. Oglethorpe for pilotage in Georgia be paid for, 58*l.* 4*s.* 5*d.*; that any five of the council be empowered to draw on the Bank for not more than 500*l.* after 9 June for the future service of the colony, to be paid to Ald. Heathcote. Ordered that 100*l.* be paid to the accountant for his extraordinary trouble. Resolved that 25*l.* be given to John Brailsford for service in attending the Trustees' account and that his passage back to Georgia be paid. Ordered that the accounts of August Gotlieb Spangenberg on behalf of the Moravian Brethren be referred to committee of accounts. Received certified accounts as follows: to Minis & Salomons for 98*l.* 6*s.*  $2\frac{1}{2}$ *d.* and for 434*l.* 8*s.*  $3\frac{1}{2}$ *d.*, both dated 23 January 1737/8; to the same for 124*l.* 2*s.*  $8\frac{1}{2}$ *d.* for parcels delivered 24 January 1737/8, dated 7 March 1737/8; to the same for 90*l.* 15*s.* 5*d.* for same, dated the same; to Samuel Tingley for 144*l.* 16*s.*  $5\frac{1}{2}$ *d.* for parcels delivered, dated 20 March 1737/8; to David Provost for 348*l.* 2*s.*  $1\frac{1}{2}$ *d.* for parcels, dated 28 February 1737/8; resolved that these accounts be returned.  $3\frac{1}{2}$  pp. [C.O. 5, 690, pp. 162-165.]

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May 31.  
Georgia Office.

Harman Verelst to General James Oglethorpe at Gosport. I got to London yesterday about 2, and at 5 attended the Earl of Egmont, Thomas Tower and Mr. L'Apostre in a committee of correspondence where several letters from Georgia were under consideration, among which were more certified accounts arrived since you left London. The last date is 20 March, wherein Mr. Causton states his reason for taking these cargoes to be for the encouragement of the persons who bring them. The further certified accounts received yesterday and to-day amount to 707*l.* 16*s.* 7*d.* sterling, and thereby the amount come to the hands of Mr. Causton since midsummer last is increased to 12,392*l.* 13*s.* 2*d.* and the certified accounts unpaid amount to 4,542*l.* 3*s.* 11*d.* The Trustees therefore are quite at a stand until an end is put to all credit in Georgia and their expenses defrayed in their sola bills and until they know on your arrival how their affairs stand in Georgia. Mr. Vernon brought with him to the Common Council to-day the Order of Council relating to the Carolina Ordinance, copy enclosed. As to the Carolina petition, there will be no directions upon that, only an instruction to both provinces amicably to concert measures in the executing the law for regulating the trade with the Indians which may be for the mutual advantage and safety of both provinces, but that is not yet settled. The Trustees have an original order to forward to Carolina relating to the ordinance which they will do by Capt. Piercy who sails next week; and they think it right that this copy of the determination of the Council should be publicly read in the court at Savannah. I have bought you two quarts of spirit of salt which I have sent by the Gosport waggon in a box as also some farthings in a bag put into a box and a letter from Justice Blackerby, both directed to

you at Gosport. The Trustees are obliged to you for letting them have your two boats for seaboats which they thankfully pay for, the expenses of them being now known and no other charge but that of working them for pilotage of shipping in the northern and southern parts of Georgia. I waited on Col. Cecil who hopes to hear from you. *Entry.* 1½ pp. [C.O. 5, 667, fos. 68d-69.]

**264** Benjamin Martyn to Commissioners of Treasury. Parliament having  
May 31. granted last session 8,000*l.* towards settling Georgia, the Trustees pray for directions for issuing said sum. *Entry.* ½ p. [C.O. 5, 670, p. 352.]

**265** Memorial of John Pitt to Duke of Newcastle, requesting the command  
May 31. of an invalid company or any other provision following his service since 1727 as governor of Bermuda and captain of an independent company there. *Signed.* 1 p. [C.O. 37, 26, fo. 212.]

**266** Instructions by Trustees for Georgia for Thomas Jones appointed  
[May.] storekeeper in Georgia. Deliver the letter from the Trustees to Mr. Causton and take his receipt. Affix on the door of the store at Savannah the notice signed by the secretary [see No. 228]. Cause the same notice to be affixed at Frederica and require Richard White, storekeeper there, to send you an account of the remain of stores. In one month after delivery of said letter, take possession of stores in Mr. Causton's custody and issue them pursuant to order of William Stephens, Thomas Causton and Henry Parker, or any two of them. You are allowed a salary of 30*l.* a year. You are to examine the demands and conduct of William Bradley and how he has employed the servants of the Trust under his care. *Entry.* 1½ pp. [C.O. 5, 670, pp. 363-364.]

**267** Thomas Hill to Attorney- and Solicitor-General, transmitting the  
June 2. following queries. (1) Whether the crown has by the prerogative a  
Whitehall. power to erect a court of Exchequer in South Carolina and in what manner such court should be erected. (2) What powers a court so established will have, whether they will extend as far as the court of Exchequer in England and whether the proceedings therein should be the same as in England. (3) Whether the governor by his commission or instructions be sufficiently empowered to appoint a chief baron and in what manner such chief baron should be appointed. List of papers to be sent with this letter. *Entry.* 2 pp. [C.O. 5, 401, pp. 261-262.]

**268** Lieut.-Governor George Clarke to Council of Trade and Plantations,  
June 2. enclosing Acts passed last session and minutes of Council. I beg leave  
New York. to remark upon the Acts. (1) An Act emitting bills of credit for the payment of the debts and for the better payment of the governor of this province and other purposes therein mentioned. The preamble will in a great measure let you into the reason and necessity of making this money and of my assenting to the bill. There was no other possible way of discharging that load of debts which the insufficiency of the former revenue had involved the province in. Trade and navigation had for some years declined and the merchants of most wealth had chosen rather to put out their money at interest of eight per cent. than to employ it in trade and ship-building; silver and gold were sent to England as fast as they came into the country to make returns to the merchants who send goods hither to their factors or to purchase goods there for those of this place who trade on their own account, and leaving little paper money of our own that of the neighbouring provinces was become the chief medium of trade



here. Nor was there any other remedy for it except that of keeping the silver and gold in the province which are constantly exported to England, and that would be injurious to the English trade and merchants. High interest is in every country a great discouragement to trade and it has been so here. The usurers were not pleased with an Act which in its consequences might reduce the general interest of money; they foresaw it would have that effect, and it has so far already prevailed that I am told some of them offer their money at six per cent., from whence I promise myself the pleasure to see trade and shipbuilding revive and flourish, the province grow populous and the settlement and improvement of lands carried greater lengths than could otherwise be expected; the benefit whereof England will largely partake in the consumption of its manufactures; for the more populous the Plantations are the more of those manufactures will be imported to them.

You will perceive that in the striking this money there is some regard likewise had to trade in easing it of so much as the interest of 40,000*l.* will amount to over and above 8,059*l.* 14*s.* which is to be sunk by it; for imposts on trade have hitherto borne the whole charge of supporting the governor. Of this the merchants have long complained and often tried to get it eased by laying some tax on lands, but the country members are too great a majority against it; however they are willing that trade should be eased provided they bear no part of the burden as in the present case they do not, but on the contrary reap all the benefit of having money on a low interest. This province has been more cautious of making paper money than our neighbours, not having struck any but upon extraordinary occasions and when there was no other possible way to provide for those exigencies, and its credit has always been better than theirs and so it will be so long as they keep within the bounds of so much as their trade necessarily requires; and it is generally acknowledged that there is not now paper money of their own enough for that purpose. It is universally agreed that this province abounds in iron ore and in lands proper for raising of hemp and yet both lie useless. Iron works require considerable sums of money to bring them to perfection or at least more than private persons who own those mines can command; and the lands fit for raising of hemp being swamps, bogs and wet meadows, cannot be cleared and drained but at a great expense. The assembly had these things under their consideration the last session, intending if they could to enable the proprietors to build furnaces and forges for pig and bar iron and to clear and drain the bogs and meadows, but the approach of winter would not give them time to do anything in it. These works would employ a great number of people and the produce make remittances to England to the advantage and enlargement of its trade and manufactures. In time the Plantations might make the trade to Sweden and Russia for those commodities less necessary.

(2) An Act to facilitate and explain the duty of the loan officers. This Act containing only directions to those persons in letting out the 40,000*l.* needs no remarks. (3) An Act for granting to H.M. several duties towards supporting his government in this colony for one year etc. There are no other goods charged with duties by this Act than such as in the former revenue bills have been subjected to a duty, and the duties given by this Act upon some commodities are less than they were formerly which is done solely in ease to the merchants who have long complained of the hardships they have been under from the imposts on trade when the trade of the neighbouring provinces has been exempted from duties. The deficiency which there will be from the difference between the present and past duties, they suppose will be made up by the interest of the paper mentioned in my observations on the first Act. (4) An Act to defray the necessary and contingent charges of the garrison of Oswego, repairing the same and for the better regulating of the fur trade. This Act except what refers to the repairs of the house or

fort is pretty much the same with former Acts that have been passed to defray the charges of that garrison; but the house having fallen to decay for want of timely repairs I have prevailed with the assembly to give money for its repair.

(5) An Act to prevent the further importation of copper money into this colony. Many years have not passed since copper money was first known in this province. At first, necessity either for change or market gave it a currency at 100 per cent. advance on the value it has in England, an English halfpenny passing here for a penny, whereas the difference of money in bills of exchange is but 6½/. per cent. or 16½/. this money for 100/. sterling. This put the merchant upon sending to England for it as the best commodity they could import, which has filled the province so full of it that it becomes a grievance, large payments at this time being tendered in it, and if a stop be not put to it will become too great a burthen; and the more of it a merchant imports (as some will do it especially if others decline) the less of the English manufactures will be imported, for we have no merchants here who leave their money in England. (6) An Act for lowering the interest of money. This Act as it passed the assembly reduced money from eight per cent. to six, but the council altered it to seven per cent., which the assembly agreed to. Excessive usury being a great discouragement to the trade and to the settlement or peopling the country, it was thought high time to reduce it by a law, and though the paper money mentioned in the Act No. (1) to be let out at interest at 5 per cent. would in effect reduce the interest of all money, without this law people might exact 8 per cent. (7) An Act for establishing and regulating courts to determine causes of 40s. and under. It has been a standing instruction to governors to get such an Act passed, it being a necessary one.

(8) An Act to restrain tavern keepers and innholders from selling strong liquors to servants and apprentices and from giving large credit to others. The vice against which this Act is pointed has prevailed of late years to too great a degree and servants and apprentices, finding ready credit from such houses are led from their duty to their masters and from their own true interest into a habit of idleness that may in time prove ruinous to the whole province if not prevented. (9) An Act continuing an Act to let to farm the excise of strong liquors. (10) An Act continuing the militia. Such Acts being passed annually I will not take up your time in saying anything upon them. (11) An Act to revive an Act to amend the practice of the law. This Act needs no other observation than this, that the lawyers having found means to evade the intention of the law which this Act revives, this explains and renders more certain that part of the former Act. (12) An Act to revive an Act to provide able pilots. (13) An Act to revive an Act for the better preservation of oysters. These Acts being to revive Acts formerly passed and found useful need no observations. (14) An Act naturalizing Johannes Lorents Corstens. (15) An Act naturalizing Gustaple Martin Rhenell and others. The readiness the assemblies have from time to time shown to pass Acts for naturalizing foreign Protestants has encouraged them to come to and to settle in this province and will much contribute to the peopling of it. (16) An Act to divide Duchess County into precincts. (17) An Act to enable the justices of the peace in Orange County to the northward of the Highlands to build a courthouse and gaol at Goshen. (18) An Act for defraying the common and necessary charge of the manor of Cortland in the county of Westchester. (19) An Act for better clearing and further laying of highroads in Duchess County. (20) An Act to enable justices of the peace in Ulster County to defray the charges of building a courthouse and gaol. The five last-mentioned Acts, being of a more private nature respecting only particular counties and places, I will not take up your time making any other remarks upon them than that they appear to be necessary for the purposes intended. (21) An Act for the further encouragement of a public school in



New York City for teaching Latin, Greek and Mathematics. (22) An Act to restrain hawkers and pedlars from selling without [licence].<sup>1</sup> Being confident that public schools for the education of youth will always find countenance from you, I will lay the two last bills before you without any further remarks in their favour. I wish the assembly had made the reward greater than it is like to be from the last of these bills; that money was applied before to the like use but fell short of the sum intended nor would the schoolmaster get any redress though he petitioned for it or got some of his friends to move the house in his behalf; it is not likely it will bring in more now. However the master having at present no other way of living is obliged to submit.

(23) An Act for confirming an exchange of lands in Oyster Bay formerly made between Samson Hawks and John Pratt, deceased. There is a saving of H.M.'s rights and the Act is not to take effect until it has H.M.'s approbation. (24) An Act to prevent damages by swine in Orange and Ulster Counties. (25) An Act to enable the corporation of New York to raise 250*l*. (26) An Act further to encourage the destroying of wolves in county of Westchester. (27) An Act for the preservation of oysters in Richmond County. (28) An Act for the better extinguishing fires in the city of New York. These Acts being likewise of an inferior nature, reasonable and necessary for the purposes intended, I submit them to you without giving you any further trouble about them. Also enclosed Naval Officer's accounts to 25 March last.

When the assembly meets which will be in August I will then press them in the strongest manner I can to settle the revenue for a term of years. They will want to have an Act continued (which expires next year) whereon the credit of about 20,000*l*. paper money subsists. If they will give a revenue I will pass such an Act, but I will let them know that they must go hand in hand or not at all. I have already mentioned it to the speaker and some others who seem to take the thing right. Col. Cosby recommended to you Mr. Paul Richards and Mr. John Moore as fit persons to be of the council in case of vacancies and I thought them so too. But from observations I have made I think it highly necessary that such of the king's officers as hold the most considerable posts should be preferred to seats at that board, and I have found the want of them more than once in matters that concerned the government. Whenever vacancies therefore happen I beg to recommend Richard Bradley, attorney-general, with Paul Richards. If you please to recommend my son who is now secretary for the province to be councillor in my room, I am willing to resign to him. Answers to queries received last year are enclosed; the rest will be sent as soon as possible. *Signed.* 5½ *pp.* *Endorsed,* Recd. 24 July, Read 25 July 1738. *Enclosed,*

268. i. Answers to queries from Council of Trade and Plantations on government and defence in New York colony. The governor with the council and assembly are empowered to pass law not repugnant to the laws of England. In the town of New York is an old fort of very little defence. Cannon we have but the carriages are good for little. We have ball but no powder, nor will the Board of Ordnance send any, on pretence that a large quantity was sent in 1711 for the Canada expedition which is 27 years ago; much of it has for many years been trodden under foot in the magazine, the barrels having been rotten. There is a battery which commands the mouth of the harbour whereon may be mounted 50 cannon; this is new, having been built but three years, but it wants finishing. At Albany there is a new stone fort built the same year with the battery at New York. And at Schenectady a new fort built at the same time and both are sufficient for those places. In the Mohawks country there is an old stockaded fort of little use now, the country thereabout being

<sup>1</sup>Edge of document missing.

pretty well settled and nigh Schenectady. I have been trying to prevail with the Senecas to let us build a fort at Tierandequat in their country, which will more effectually secure the fidelity of the Six Nations and better preserve the fur trade, and I hope at last to prevail. We have no revenue established at present. The ordinary and extraordinary expenses of the government are about 4,000*l.* a year. We have a militia in every county for the regulating whereof there is annually passed an Act of assembly. The people are generally expert in the use of firearms. All the officers are commissioned by the governor. Mayors and recorders of New York and Albany are commissioned under the seal of the province, as are sheriffs, coroners and clerks of the peace. Chief justice, attorney-general, surveyor-general and secretary or agent for Indian affairs are appointed by the king's warrant to the governor. Second and third judges are appointed by the governor. The secretary and receiver-general have their commissions under the great seal of England. 1½ *pp.* *Endorsed*, as covering letter.

268. ii. Cadwallader Colden, Surveyor-General of New York, to Lieut.-Governor Clarke, 14 February 1737/8. In obedience to your order in council of 5th of last month, referring to me the following queries from Council of Trade and Plantations: (1) What is the situation of the province, nature of country, soil and climate etc. (2) What are the reputed boundaries and are any parts thereof disputed, what parts, and by whom?

I shall, that answer may be made thereunto, mention such particulars as occur to me from my own knowledge or the credible information of others and class them in the same order observed in the queries. The situation of the province of New York is to the eastward of the provinces of New Jersey and Pennsylvania and of the Indian countries claimed by the French and to the westward of the colonies of Massachusetts Bay and Connecticut. The nature of the country is more uneven, hilly, stony and rocky than that of the provinces to the southward of it; in some parts it is mountainous; at about 40 miles from the city of New York northward a chain of mountains of about ten miles in breadth, commonly called the Highland Cross; Hudson's River running many miles from the north-east southwestward. About 90 miles northward from New York another body of mountains rise on the west side of Hudson's River at about ten miles from the river and are commonly called the Catskill Mountains or Blue Hills. From these mountains the most northerly and main branches of Delaware River, some branches of Susquehannah River and several of Hudson's River take their rise. The southern part of the country, that is from the sea on both sides of Hudson's River to within 20 miles of Albany, is generally covered with oaks of several sorts, intermixed with walnuts, chestnuts and almost all sorts of timber according to the difference of the soil in several parts. I have seen in several parts of the country large quantities of the *larix* tree from whence Venice turpentine is made. About Albany, and as I am informed a great way up the eastern branch of Hudson's River, the land is generally covered with pines of several sorts. The Mohawks country or that part of this province lying on both sides the western branch of Hudson's River is generally covered with beech, maple and elm.

The settlements extend in length from the ocean northward along Hudson's River and the eastern branch of it to about 40 miles to the northward of Albany and westward along the western branch to about four score miles west-north-west from Albany; so that the settled and improved part of New York extends about 200 miles in length. But there are few settlements anywhere to the northward or westward of Albany at any distance from the branches of Hudson's River. In the Mohawks'



country the level of the land seems to be at the greatest height above the sea, for in that part of the country at about 50 miles west-north-west from Albany and 12 miles west from the Mohawks River, some branches of the largest river in North America and which run contrary courses take their rise within two or three miles of each other viz. first, a branch of Hudson's River which falls into the sea near New York after having run above 250 miles. Second, the Oneida River running northward falls into the Oneida Lake which empties itself into the Cadarackui Lake at Oswego: from this lake the Great River St. Lawrence takes its rise, which passing by Montreal and Quebec empties itself into the ocean opposite to Newfoundland. Thirdly, a branch of the Susquehannah River which running southerly passes through Pennsylvania and Maryland and empties itself into Chesapeake Bay in Virginia. The province of New York has for the conveniency of commerce advantages by its situation beyond any other colony in North America. For Hudson's River running through the whole extent of this province affords the inhabitants an easy transportation of all their commodities to and from the city of New York; from the eastern branch there is only land-carriage of sixteen miles to the Wood Creek or to Lake St. Sacrament, both of which fall into Lake Champlain from whence goods are transported by water to Quebec. But the chief advantages are from the western branch of Hudson's River; at fifty miles from Albany the land-carriage from the Mohawks River to a lake from whence the northern branch of Susquehannah takes its rise does not exceed fourteen miles. Goods may be carried from this lake in battoes or flat-bottomed vessels through Pennsylvania to Maryland and Virginia, the current of the river running everywhere easy without any cataract in all that large space. In going down this river two large branches of the same river are met, which come from the westward and issue from the long ridge of mountains which stretch along behind Pennsylvania, Maryland, Virginia and Carolina, commonly called the Apalachy Mountains. By either of those branches goods may be carried to the mountains and I am told that the passage through the mountains to the branches of the Mississippi which issue from the west side of these mountains is neither long nor difficult; by which means an inland navigation may be made to the Bay of Mexico.

From the head of the Mohawks River there is likewise a short land-carriage of four miles only to a creek of the Oneida Lake which empties itself into Cadarackui Lake at Oswego; and the Cadarackui Lake being truly an inland sea of greater breadth than can be seen by the eye communicates with Lake Erie, the lake of the Hurons, Lake Michigan and the upper lake, all of them inland seas. By means of these lakes and the rivers which fall into them commerce may be carried from New York through a vast tract of land more easily than from any other maritime town in North America. These advantages I am sensible cannot be sufficiently understood without a map of North America. The best which I have seen is Mr. De L'Isle's map of Louisiana published in French in 1718; for this reason I frequently use the French names of places that I may be better understood.

There are great quantities of iron ore in several parts of the province, large quantities of sulphur in the Mohawks country, salt springs in the Onoudaga country; lead ore has likewise been found in several parts of the province but nowhere as yet sufficient to pay the expense of working. The soil is less uniform as the surface is more unequal than in the more southern provinces and consequently there is a great variety of soil in several parts of the province. It is generally proper for the most sort of grain, as wheat, rye, barley, oats, maize or Indian corn and buckwheat. The wheat of this province is generally heavier than that of the provinces more to the southward and yields a larger quantity and better kind of flour. The soil is likewise

more fit for pasturage running naturally as soon as it is cleared of the woods into clover and other good grass and is almost everywhere intermixed with good meadow grounds. These in several parts are of a deep, rich, black mold and have when sufficiently drained produced hemp to great advantage. What I say of hemp is grounded on what has been done in New Jersey, and though the experiment has not been sufficiently tried in this province I can see no reason to doubt of the like success.

On many of the branches of Hudson's River and near Albany and Hudson's River itself there is a kind of soil made by the rivers and extends about half a mile in breadth along the rivers. This being made by the soil which the rivers let fall is exceeding rich, yields large crops of the best wheat, and the repeated overflowings of the rivers keeps it always in strength. The soil of the Mohawks country is in general much richer and stronger than that of the more southern parts of the province and exceeds any soil that I ever saw in any part of America. I am told the same kind of soil extends through the countries of the Oneydoes, Onoudagas, Cayugas and Senecas. This soil I am persuaded will produce anything that can be produced in a climate where the winters are very cold.

The climate of the province of New York confining it to the present Christian settlements extends from 40th degree and 30 minutes of latitude to 43rd degree and 30 minutes. It is much colder in winter than those parts of Europe which lie under the same parallels of latitude. The alterations in the thermometer are very considerable, as great perhaps as in any part of the world. But changes in the barometer are not so great, the mercury seldom descending so low as in Britain. The changes of heat and cold pass through all the degrees of the thermometer. I have observed the cold so great that the spirit in Patrick's thermometer which is fixed to his portable barometer descended the space of  $8\frac{1}{2}$  graduations below all the graduations marked on the thermometer. At the same time the spirit in my Florentine thermometer was included entirely within the ball, but so great a degree of cold happens seldom. The peach and quince trees were in many places killed by it but the apple and pear trees are never hurt by the cold. Hudson's River so far as it is fresh is frozen every year so as to bear horses and carriages. The excesses in heat and cold seldom continue a week together or more than two or three days. The greatest cold is in January, and heat in July and August. Since the country has been settled and cleared the seasons are become more moderate. The spring comes late, it is seldom sensible before April. This it is probable is occasioned by great quantities of snow to the northward which everywhere are covered from the sun by thick forests, and by melting slowly produces cold northerly winds. The spring being late of consequence is short, the succeeding warm weather produces a quick growth so that the face of the country in a short time becomes surprisingly changed. In the summer exceeding heavy dews fall almost every night. The wheat harvest is in the beginning of July. The fall of the leaf is the most pleasant season in this country. From the beginning of September to December we have moderate weather with a serene sky, the horizon being seldom covered with clouds in that time.

City of New York is in lat.  $40^{\circ} 42'$ , long.  $74^{\circ} 37'$ . Sandy Hook, a cape in the ocean at the entrance into the bay into which Hudson's River empties itself, lat.  $40^{\circ} 25'$ , long.  $74^{\circ} 37'$ . Albany, the second city in New York and most considerable place for the fur trade, lat.  $42^{\circ} 48'$ , long.  $74^{\circ} 24'$ . Oswego, a fort on Cadarackuy Lake from whence the fur-trade of Albany is carried on with the western Indians, lat.  $43^{\circ} 35'$ , long.  $76^{\circ} 50'$ . Philadelphia, lat.  $39^{\circ} 58'$ , long.  $75^{\circ} 40'$ . Boston, lat.  $42^{\circ} 25'$ , long.  $71^{\circ} 28'$ . Quebec, the capital of Canada, lat.  $46^{\circ} 45'$ , long.  $69^{\circ} 48'$ .



Montreal, the second town in Canada and nearest New York, lat.  $45^{\circ} 52'$ , long.  $74^{\circ} 10'$ . Crown Point, the place where the French have built a fort near the south end of Lake Champlain, lat.  $44^{\circ} 10'$ , long.  $74^{\circ}$ . The longitude of all these places is computed westward from the meridian of London. The latitude and longitude of New York is from my own observations which I am satisfied are near enough the truth for common use though not made with such instruments, care and accuracy as is necessary where the greatest exactness is requisite. The longitude is from the immersions and emersions of Jupiter's first satellite and the calculations made from Dr. Pound's table of that satellite. The latitude and longitude of Boston are from the observations made at Cambridge College in New England and those of Quebec from the observations of the French there. Those of the other places are computed from their distance and situation with respect to some one or more of those that are determined by observations.

The province of New York is bounded to the southward by the Atlantic ocean and runs from Sandy Hook, including Long Island and Staten Island, up Hudson's River till the 41st degree of north latitude be completed, which it is about 20 miles above the city of New York, East New Jersey lying for that space on the west side of Hudson's River; from the 41st degree of latitude on Hudson's River it runs north westerly to  $41^{\circ} 40'$  of latitude on the most northerly branch of Delaware River which falls near Cashiehtunk, an Indian settlement on a branch of that river called the Fish Kill; thence it runs up that branch of Delaware River till the 42nd degree of latitude be completed or to the beginning of the 43rd degree, Pennsylvania stretching along the west side of Delaware River so far northward as to this parallel of latitude. From the beginning of the 43rd degree New York runs westerly on a parallel of latitude along the bounds of Pennsylvania to Lake Erie or so far west as to comprehend the country of the Five Nations (the French having by the Treaty of Utrecht quitted all claim to these Five Nations). Then it runs along Lake Erie and the straits between Lake Erie and Cadarackuy Lake and along Cadarackuy Lake to the east end thereof, from thence it continues to extend easterly along the bounds of Canada to the colony of Massachusetts Bay, then southerly along the boundaries of the Massachusetts Bay and of the colony of Connecticut to the sound between Long Island and the main, and then easterly along that sound to the Atlantic Ocean.

The boundaries between New York province and the provinces of New Jersey and Pennsylvania are so well described in the grants to the proprietors of New Jersey and Pennsylvania that by determining the proper parallels of latitude on Hudson and Delaware Rivers the boundaries between them may at any time be fixed with sufficient certainty. But as this has not hitherto been actually done, disputes now in several parts subsist between the proprietors of the lands near the line which is supposed to run between New York and New Jersey from Hudson's River to Delaware River; and it is probable the like disputes will happen between the inhabitants of the province of New York and Pennsylvania when the lands near the line dividing them shall be settled. The boundaries between New York and Connecticut are entirely settled by agreement between the two colonies and by lines run at about 21 miles from Hudson's River and running nearly parallel to the general course of that river.

I know of no regulations for determining the boundaries between New York and Canada. It is probable each will endeavour to extend themselves as far as they can. The French have lately made a wide step by building a fort at Crown Point, which alarms the English colonies by its being a pass of great importance. By this pass only there is access to Canada from the English colonies and from this the

French will be able in wartime to send out parties to harrass and plunder the colonies of Massachusetts Bay, New York and Connecticut. The building of this fort deserves the more notice by reason it is not at half the distance from the settlements in New York that it is from the nearest settlements in Canada. If we are to judge of the pretensions of the French by the maps lately published in France by public authority they not only claim this part of the country and the countries of the Five Nations depending on New York but likewise a considerable part of what is actually settled by the inhabitants of New York. The English maps are such servile copies of the French that they mark out the boundaries between the English and French with the same disadvantage to the English that the French do.

The boundaries between Massachusetts Bay and New York is everywhere disputed: by the Massachusetts Bay charter that colony is to extend as far west as Connecticut. The question is whether it shall extend as far west as to Connecticut or extend as far west as Connecticut does. The difference is so considerable that it takes in near as great a quantity of land as the whole of what is not disputed. It is probable they may at last make their claims good by the numerous settlements they have already and are daily making upon it. Your knowledge of this country will easily discover any errors I may have committed and will supply the defects. I have endeavoured that what I have written may be of use to you in some matters wherein you are less conversant and may assist your memory in others. *Signed. 7½ pp.*

268. iii. Answer to four queries referred by the Lieut.-Governor and Council of New York to Commissioners of Indian Affairs. Albany, 4 February 1737/8. The Six Nations of Indians including the River and Schaachhook Indians are about 1500 fighting men, of which number one-eighth part incline to French interest, being partly overawed by fear. The French have their interpreter continually among the Senecas who has a great influence over them and they often send messengers with presents to the Six Nations.

The Indians living near about Montreal and Quebec are about 1,000 fighting men besides a vast number of other foreign nations amongst whom the French have sixteen fortifications and settlements.

The French Europeans settled on the River St. Lawrence in Canada consisting of the three governments of Quebec, Montreal and the Three Rivers are about 10,000 fighting men including 32 companies of regular forces. Spaniards none.

The metropolis of New France is Quebec, a well-fortified town being enclosed in a very strong wall, and has a strong fort situated on a rock, being the seaport on the north side of River St. Lawrence. About sixty leagues southwest thereof is Montreal on the same side of the river, which is regularly fortified and surrounded with a strong stone wall, having batteries within and a large trench round the north, east and west sides thereof and to the south is the river. About seven leagues south from Montreal is a village called Chambley, situated on a river running out of Corlaers Lake which is by the French called Champlain, and empties itself into the River St. Lawrence at Soreil: there is a good strong stone fort at the side of the river at the upper end of a basin. The French have also a very strong fort to the west of Crown Point at the side and south-east end of Corlaers Lake beforementioned called by the French La Pointe au la Chevreures, about seventy miles to the northward of our farthest settlement, built in 1736 for a retreat when the French at any time should come to disturb or annoy our frontiers either in our province or New England. This fort is situated on a rock having a very strong citadel arched with stone three storeys high, the wall thereof is about seven feet thick, it commands the entrance into the lake beforementioned from the southward and has four regular bastions. To the



southward is a large plain. They likewise by that means extend their limits, having encroached upon land belonging to H.M. They have also a strong fort at Cadaruchque at the north-east end of the Lake Ontario which empties itself in the River St. Lawrence, made there not only in order to entice the Six Nations of Indians to their interest and to have an awe over them but also for a retreat to the French when at any time they should attack or annoy the Six Nations and likewise to prevent the said Six Nations from going to Canada in time of war. They have also a strong fortification at Niagara which is at the south-west end of Cadaruchque Lake below the falls of that name about three leagues, where there is a carrying place. It borders near the Six Nations which in a great measure commands the Indian trade from the westward and overawes the Senecas. They have several settlements and forts as above observed of less note among the upper nations of Indians on the chief passages as the Indians come from their hunting, in order to intercept the fur-trade and to keep an awe and command over them.  $1\frac{1}{2}$  pp.

268. iv. The referred queries from Council of Trade and Plantations and the required answer from the Collector of Customs, New York.

Queries: What is the trade of this province etc.? What quantities of British manufactures are taken? What trade with foreign countries and colonies? What is the natural produce of the country? What methods are used to prevent illegal trade?

Answers. Trading in general: from Great Britain, European and Indian goods with silk manufactures chiefly; from Ireland, linen and canvas; from British colonies, enumerated commodities, rum, lime juice, snuff, pimento, sulphur, straw plat, hides, deerskins, conch shells, negroes, mahogany and ebony; from Europe etc., salt; from Africa, negroes now less than formerly brought hither; from Madeira and Canary Islands, wines; from northern and southern parts of this continent, cider, oil, blubber, whalefins, hops, flax seed, flax, bricks, sealskins and certain wrought tin and braisery; lastly from foreign plantations, small quantities of rum, molasses and sugar since the Act imposing new duties thereon, snuff, Spanish tobacco, aqua vitae, indigo, logwood and other dye wood, coconuts, cotton wool etc.

To London and outports, the latter seldom, enumerated goods and other merchandize legally imported; to Ireland, flax seed and staves; to other parts of Europe, grain, hides, elk and deerskins, ox horns, Spanish snuff, logwood, indigo, coconuts etc. of foreign produce, and lumber; to Madeira and Azores, grain, beeswax and staves; to English districts north and south of this continent and West Indies, provisions, chocolate, lumber, European goods with those species enumerated and such others as brought here for export regularly; lastly to the neutral ports as St. Thomas, Curaçao and Surinam, lumber and horses with provender.

Present number of vessels, 53. Registered tonnage, 3,215. Number of seamen, 352.

Production and manufacture. First, the country people here have, for many years and yet, their homespun, so termed, of wool, flax, to supply somewhat themselves with the necessaries of clothing etc. From 1715 or thereabouts have been raised linseed and milled into oil, hats made of beaver from the exporting whereof prevented by the Act from Michaelmas 1732, also lamp black worked up. From 1730 sugar-baking and its refining have been for home consumption and transportation hence to other districts on the continent and to the West Indies by regular certificates and latterly the distilling of rum and other spirits, for these only are two houses erected. In this province are mines of iron and lead ores, the manufacturing of which have been of late proposed and the raising of hemp likewise. Lastly, of these severally besides are grain of all sorts and other provisions with tobacco, a diminutive

quantity naturally produced out of this soil, yet being with suchlike brought hither from the eastern and western parts of this continent are saleable and vended abroad, cannot be distinguished so as to ascertain the annual exporting of their value. Neither practicably could it be if from the import thereof separated because their prices according to the markets currently vary.

See naval officer's lists for particulars of quantities and qualities.

Such methods to prevent frauds are used as are prescribed on the principal laws of trade. *Signed*, Archibald Kennedy, Collector, 18 January 1737/8. 2 pp. *Endorsed*, Recd. 24 July, Read [blank]. [C.O. 5, 1059, fos. 48-62d.]

269

June 2.  
New York.

Lieut.-Governor George Clarke to Duke of Newcastle. Being informed that a considerable land and naval force was arrived at St. Augustine from Cuba in order to make a descent on Georgia, I sent for three masters of vessels who were lately arrived from St. Augustine and Carolina, and examined them on oath concerning that affair. Copies of examinations enclosed. The council were of opinion that there was sufficient cause to embargo Kip and Griffith's sloops: the first was laden with provisions for St. Augustine, and Griffith careening in order to take in a loading for the same place, both owned by Mr. William Walton of this town who, as I am informed, has supplied that place with provisions many years by contract. He protested against the Custom House officers for refusing to clear Kip, a copy of the protest is enclosed. I have, besides the restraint laid on these two sloops, issued a proclamation with the advice of the council forbidding all H.M.'s subjects in this province to supply St. Augustine with provision or ammunition. The obligation on Mr. Walton to give security, before his sloops be cleared at the Custom House, that they should not go to St. Augustine might not have answered the end; but as I was to act with the advice of the council, the order was made pursuant to it. Yet there being no sum mentioned wherein he was to be bound, I had it in my power to direct what the penalty should be. Captain Walton thought it hard that his vessels entering and clearing for Carolina (as they always do for some English port) should be embargoed, and other vessels that enter for the same place should be suffered to depart. But I cannot think it either hard or unjust, Walton being the only person in this place whom the Spaniards permit to trade at St. Augustine, where he has a factor who has resided there many years. In this situation the business continued till 19 May when Captain Tucker and one Col. Hicks, an assemblyman in Carolina who came hither with Tucker for his health, being examined on oath, the council were thereupon of opinion that the Spanish expedition against Georgia was countermanded. In consequence whereof, an order of the board was sent to the collector to clear Griffith and Kip, and a proclamation was at the same time ordered to issue to recall the proclamation abovementioned. Acknowledges the duke's goodness to his son. *Signed*. 3 small pp. *Endorsed*, Recd. July. *Enclosed*.

269. i. Examination of Thomas Peniston, master of the sloop *Eagle*, taken at a council held at Fort George, New York, before the lieut.-governor and council, 8 May 1738. The examinant was lately at Jamaica; while he was there advice came from Cuba of 4,000 soldiers arrived at St. Jago de Cuba from Old Spain, who were to be joined by 2,000 raised on Cuba and 2,000 or 4,000 from Vera Cruz and Campeachy. After further advice of this force sailing from Cuba, the general opinion at Jamaica was that it was an expedition against Georgia. Examinant was informed that at St. Jago de Cuba there were several Spanish men-of-war, vizt. a 60-gun ship, a 50-gun ship and a 20-gun ship. *Copy*. 1 p.

269. ii. Examination of James Tucker, master of the sloop *Midnight*, taken as above, 19 May 1738. Examinant was hired by the government of South Carolina



to go to Augustine as a tender to H.M.S. *Seaford*, Henry Scott commander. They lay off and on St. Augustine about thirty hours and saw two snows, another topsail vessel and two sloops, but whether Spanish or English examinant does not know. At Charleston he was informed by Joseph Prue of a Spanish design to invade Georgia; afterwards he was told by the same Prue that there was an account come from Old Spain countermanding any expedition against Georgia, Carolina or any other English colony. When examinant left Carolina about eleven days ago neither the government nor the people had any apprehensions of invasion. He was informed that about 600 men had arrived off Charleston in three transport ships under convoy of the *Phoenix* man-of-war, Captain Fanshaw commander. *Copy. 1½ pp.*

269. iii. Examination of Alexander Hext, esquire, before Chief Justice Lane and Mr. Horsmanden, 19 May 1738. Examinant was informed by the president and several members of a committee of the council and assembly of South Carolina that took the examination of Joseph Prue that there were about 7,000 Spanish soldiers at Havana intended to be transported to St. Augustine for a descent upon Georgia, but only five or six hundred were actually transported before the expedition was countermanded. He believes the government of Carolina is now under no apprehensions of an attack on Georgia. *Copy. ½ p.*

269. iv. Examination of John Lush, master of the sloop *Georgia Packet*, taken as No. i above, 5 May 1738. Examinant was lately at South Carolina where he was informed by Joseph Prue (who had been a prisoner at Havana) that the Spanish descent on Georgia had been countermanded. Prue was taken to St. Augustine with two troopships where he saw many Spanish vessels, some long and flat-bottomed on purpose to carry soldiers up the river. Prue told this examinant that there might be 6 or 7,000 Spaniards landed at St. Augustine. This examinant believes that the people of Carolina were under some apprehensions of danger, for they had sent for a great number of Indians and had frequently trained and exercised the militia in arms and kept a strict watch. *Copy. 1½ pp.*

269. v. Examination of Abraham Kip, master of the sloop *Don Carlos*, taken as No. i above, 5 May 1738. Examinant was lately at St. Augustine; about the end of March there arrived several vessels said to be about 42, from Havana, and eight days after a frigate of about 24 guns and a tender arrived from Havana with 400 soldiers, several transports and nine other vessels. The 42 vessels aforementioned were to carry the troops expected from Havana for an attack on Georgia. Examinant was informed that the frigate brought intelligence of the countermanding of the expedition. He does not believe that there were more than 1,000 soldiers at St. Augustine; he left about three days after Joseph Prue. *Copy. 1¼ pp.*

269. vi. Examination of David Griffith, master of the sloop *Jacob*, taken as No. i above, 5 May 1738. He was at St. Augustine from about 12 March to 12 April last, and reports substantially the same as No. v. above. *Copy. 1¼ pp.*

269. vii. Protest by Richard Nicholls, notary public, 6 May 1738, at the request of William Walton junior, one of the owners of the sloop *Don Carlos*, and Abraham Kip, master of the said ship, against the officers of the Customs at New York for withholding permission to sail. *Copy. 1½ pp.*

269. viii. Examination of Lewis Thibou, taken as No. i. above, 5 May 1738. Examinant was at St. Augustine from the end of February until about 12 April last, and reports substantially the same as No. v. above; but believes the number of Spanish soldiers at St. Augustine might amount to 1,500. *Copy. 1 p. [C.O. 5, 1094, fos. 50-67d.]*

270

June 3.  
Savannah.

William Stephens to Harman Verelst. Col. Cochran desires me to send you the enclosed certificate from the captains of the *Amy* and *Whitaker*, by which you will observe that he misses a bale of mattresses and blankets. He prays the favour of you to enquire into it. The last of the soldiers that came with the colonel (except a few that are left upon recovery from sickness here) went south the beginning of this week and the two captains, Newham and Whiting, sailed this morning for Virginia; the other transport, the *Lightfoot*, being gone south with part of the men and not yet returned. The colonel purposes to follow them to the Altamaha to-morrow or Monday at farthest. Whether or not this will overtake the packet at Charleston which went hence from us on Sunday last under the care of Col. Cochran's sergeant for England is uncertain; it must take its chance. *Signed*. 1 small *p.* *Enclosed*,

270. i. Certificate that a bale of mattresses which should have been sent by the *Amy* was alongside the ship on 29 or 30 December 1737 and was sent away again, the ship being full. No such bale was delivered upon arrival. Georgia, 3 June 1738. *Signed*, T. Newham, R. Whiting. 1½ small *pp.* [C.O. 5, 640, *fos.* 121-123*d.*]

271

June 3.  
Georgia Office.

Harman Verelst to General James Oglethorpe at Gosport or on board *Blandford* man-of-war, enclosing copy of report of Committee of Council on the Carolina petition omitted in error from letter of 31 May. The Trustees desire that the two seaboats be immediately sent to their respective stations to be employed for the services for which they were bought. *Entry*. ½ *p.* [C.O. 5, 667, *fo.* 69-]

272

June 5.  
Gosport.

James Oglethorpe to Duke of Newcastle. I have received a letter from Col. Bull, lieut.-governor of South Carolina, enclosing several depositions of which I send you abstracts; he says that he has sent the originals to you. They prove that those advices which I gave you of the preparations of the Spaniards are true. They also prove how necessary those precautions were which you so frequently urged and which H.M. has been pleased to order. I beg you would lay before H.M. the circumstances of the provinces of Georgia and Carolina, that the Ordnance may hasten the sending the artillery etc. which H.M. was pleased to order. If the advice of this preparation makes any new measures necessary you will be so good as to acquaint me with them. The wind is just sprung fair and I hope soon to be in America where, though the odds are great, I cannot but think myself happy in having an occasion of showing the grateful sense I have of H.M.'s goodness. *Signed*. P.S. From on board *Blandford* at Spithead, 6 June 1738. The wind is turned against us and the ships are obliged to moor. 2¼ small *pp.* *Enclosed*,

272. i. Abstract of affidavit of Joseph Preu, captain of the *Beaufort* schooner, sworn at the Council Chamber, Charleston, 16 April 1738. [See No. 158. i.] 2½ small *pp.* [C.O. 5, 654, *fos.* 144-147*d.*]

273

June 6.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle, enclosing copies of letter and papers relating to preparations made by the Spaniards at Havana, received from President Bull. *Signed*, Monson, Edward Ashe, R. Plumer, M. Bladen. 1 *p.* *Enclosed*,

273. i. President Bull to Council of Trade and Plantations, 20 April 1738. *Copy*, of No. 158.

273. ii. Examination of Joseph Preu, 16 April 1738. *Copy*, of No. 158. i.

273. iii. Examination of William Lyford, William Hodge and William Patterson,



6 April 1738. *Copy*, of Nos. 158. ii. and iii. [C.O. 5, 384, *fos.* 11-21*d*; entry of covering letter in C.O. 5, 401, *p.* 263; draft of covering letter in C.O. 5, 381, *fos.* 271-272*d*.]

## 274

June 7.  
Georgia Office.

Harman Verelst to Andrew Stone, transmitting the enclosed for the Duke of Newcastle. *Signed.*  $\frac{1}{2}$  *p.* *Enclosed*,

274. i. Affidavit of James Howell, master of schooner *Beaufort*, sworn at Council Chamber, South Carolina, 21 April 1738. [See No. 160.] *Copy.* 3 *pp.* *Endorsed*, Recd. from Trustees for Georgia, 7 June 1738. [C.O. 5, 654, *fos.* 148-151*d*.]

## 275

June 7.  
Georgia Office.

Same to John Crosse, junior, consul at Teneriffe. The Trustees have no occasion for wine at present, the fleets ordered by H.M. being to call at Madeira. Should they have occasion they will address themselves to you and meanwhile recommend you to the merchants who trade to Georgia. *Entry.* 1 *p.* [C.O. 5, 667, *fo.* 71, 71*d*.]

## 276

June 7.  
Georgia Office.

Same to Andrew Stone, enclosing copy of affidavit of James Howell which the Trustees desire be laid before the Duke of Newcastle. *Entry.*  $\frac{1}{2}$  *p.* [C.O. 5, 667, *fo.* 69*d*.]

## 277

June 7.  
Palace Court.

Minutes of Common Council of Georgia. Sealed deed-poll removing Thomas Causton from office of first bailiff of Savannah and appointing Henry Parker in his room, accountant to countersign. Read Trustees' letter to Gen. Oglethorpe of 2 inst. Ordered that the said deed-poll be sent to Gen. Oglethorpe to be used according to the said letter. Resolved that Gen. Oglethorpe be desired to have Mr. Causton arrested and kept in safe custody or sufficient security until his accounts from 1734 are examined and approved, and that he be not sent over to England till the Trustees direct. The accountant acquainted the council that to complete the payments ordered 132*l.* 15*s.* 3*d.* was wanting; signed a draft on the Bank for that sum to Ald. Heathcote. 1 $\frac{1}{2}$  *pp.* [C.O. 5, 690, *pp.* 166-167.]

## 278

June 7.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received receipt from Bank for 10*l.* paid in last board. Sealed duplicate of Trustees' letter to Mr. Causton dated 19 May with several lists and accounts annexed. Read a letter from Col. Oglethorpe dated 4 June in answer to the Trustees' of 2 June, which letter and answer were in the following words:

The Trustees being greatly alarmed at the great number of certified accounts amounting 1,401*l.* 13*s.* 2*d.* brought for payment since Tuesday last immediately met to concert the most proper measures to secure their effects in Georgia and Mr. Causton's person to answer for his conduct in receiving cargoes without any order whatsoever from the Trustees for these certified accounts unpaid now amount to 5,236*l.* 0*s.* 6*d.* and the sola bills, provisions and effects received by Mr. Causton since midsummer last amount to 13,086*l.* 9*s.* 9*d.* for the application of which he has given the Trustees no account. The situation of the Trustees' affairs is such that they cannot sit still in these circumstances but must in their own justification insist upon an immediate seizure of Mr. Causton to be detained until he gives sufficient security to answer this surprising conduct of his which may draw the Trustees into the greatest inconvenience and discredit while at the same time they on their part have taken all possible care to prevent such inconveniences happening. And unless he shall produce to you such accounts as you think when transmitted to the Trustees will prove satisfactory to them, you are

desired forthwith to send him with his books and papers in safe custody to the Trustees that he may make up his accounts with them. But if it should so happen, which the Trustees are afraid cannot be the case, that Mr. Causton should produce such an account as will be in your opinion satisfactory to the Trustees, you are forthwith to transmit such account by the first opportunity and to continue him upon sufficient security until the Trustees have examined and approved thereof. The Common Council will at their next meeting seal an instrument to remove him from his office of first bailiff which is intended as a suspension to wait the making up of those accounts.

As the Trustees' conduct must stand evidently clear from any imputation of neglect they strongly recommend it to you (being one of themselves) to use all possible means to preserve that credit they have hitherto been possessed of, and which they desire to have continued consistent with the characters they bear and which the disinterested manner they have always acted in has justly entitled them to. It is almost impossible for the Trustees to express the great resentments which they have entertained at the behaviour of a person to whom they showed such marks of distinction and favour who by a conduct for which they cannot as yet find a name has already disabled them from bearing an expense of an estimate which they had calculated with the utmost frugality and economy for the services of the colony from midsummer next.

The Trustees now transmit to you the Order of Council which Mr. Vernon brought to the Common Council last Wednesday relating to the Carolina ordinance, the perusal of which they hope will be very agreeable to you, and they desire that you will transmit it to the lieutenant-governor and council of South Carolina by the first opportunity. There is a duplicate of the same order put into the hands of Mr. Fury. The Trustees have been informed that the Council have not determined anything definitively upon the complaint of the lieutenant-governor and council of South Carolina but have directed instructions to be prepared for both colonies for concerting measures for settling the trade upon such a foot as may be for the mutual advantage of both provinces. The last advices from Charleston dated 21 April which arrived this day confirm that the ships lately seen off St. Augustine were four Spanish men-of-war and thirty transports with Spanish troops; and it is said that they had landed at Augustine 900 men and were gone to Havana for 150 more, that Capt. Howell, one who had been detained at St. Augustine and lately come from thence, made an affidavit at Charleston of this increase of forces at St. Augustine and that a vessel arrived there just before he came away with an order from Old Spain to stop the expedition for the present. Enclosed letter from Samuel Prince at Wokingham in Berks. came to the office to-day to enquire after his son Thomas Milsam Prince said to be entered for Georgia. The Trustees therefore send it to you to do what is proper in case any such person is in the present embarkation. P.S. As the Trustees cannot answer the expenses of the estimate they desire that only such articles may be defrayed with the 500*l.* in sola bills you have with you and what shall be found remaining in the stores, being the only money the Trustees can look upon themselves as possessed of to answer the expenses of the colony to midsummer 1739.

Answer of James Oglethorpe, Gosport, 4 June 1738. I have received yours by the Trustees' order. The advices from Augustine prove the care and vigilance of the Trustees who apprised the government of the intentions of the Spaniards and of these preparations of the Spaniards in April last was twelve month. If that article is true, that the orders from Spain have delayed the execution of their design, if they have not acted before I get thither I do not doubt but we shall prevent their doing any mischief afterwards. With respect to the other affairs the Trustees have acted with the greatest prudence and caution of which every letter and order of their's is evidence; their last orders also show that they join a true spirit with their caution. There must be great care



taken that they are not known. A ship bound for Carolina goes out in a few days and it should be well looked to that no advices go by that ship which may be prejudicial to the service by giving intelligence and preventing the effects of their care. By the accounts you send me of the state of the Trustees' affairs, there has been more expended in Georgia than granted by Parliament, but if it is in store and forthcoming it will serve for the provision of this year. If I find that the circumstances are such as you apprehend them I shall not issue any of the 500*l.* sola bills till I have further orders from the Trustees. I do not doubt but I shall set all things to rights. If the governmental affairs could have been brought so to bear as that I had set out in July or August last, as the Trustees and I desired, this had been all prevented. Howsoever, as I said before, I do not doubt but I shall still come time enough to remedy what this delay hath occasioned. I know there will be a great deal of trouble in it but I am accustomed to difficulties so that they never make me despair. If there has been any fraud in these certified accounts and that the persons did not deliver the effects certified to the Trustees' use, but that the certificate was a piece of roguery agreed upon between the deliverer and the signer, to be sure such certificates are not binding upon the Trustees though the person signing was employed by them. Therefore in my poor opinion the Trustees should delay the payment of those certified accounts till they have the examination from Georgia. The Order of Council is very satisfactory with respect to the repeal of the ordinance. I have ordered all the ships to be examined if Samuel Prince is on board. J. Oglethorpe. P.S. I have the Trustees' order for making an immediate seizure on Causton, his books and papers, and shall see them immediately executed. This must be kept with the greatest secrecy for if he should know the orders before they are executed the effect will perhaps be prevented. I have not trusted even my clerk.

The Trustees ordered a letter to Gen. Oglethorpe to be signed by the accountant in the following words:

The Common Council have this day sealed the removal of Mr. Thomas Causton from his office of first bailiff and the appointment of Mr. Henry Parker in his room, which they desire you to use or not according to the Trustees' letter of 2nd inst.; and Mr. Holland and Mr. Henry Archer being of opinion that after the arresting of Mr. Causton which must be done at all events but if by legal process to justify the apprehending and detaining him afterwards it is the most proper, the securing his books and papers, allowing him the use of his books and papers to make his accounts out by from Lady Day 1734 and taking the possession of the Trustees' effects, you should be desired only to continue him in safe custody or on sufficient security until his accounts are examined into. The Trustees desire you would do so and direct Mr. Jones to examine them and to report to you thereon, and that you would send copies of such of his accounts when examined and Mr. Jones's report to the Trustees for their perusal with your opinion thereon. The Trustees therefore desire he may not be sent over to England for the present but only continued in safe custody in Georgia or on sufficient security until the Trustees give further directions concerning them. 6½ pp. [C.O. 5, 687, pp. 76-82.]

279

June 7.

Appointment by Common Council of Georgia of Henry Parker to be first bailiff of Savannah in succession to Thomas Causton, hereby removed from that office. *Entry.* 1 p. [C.O. 5, 670, p. 380.]

280

June 8.

James Abercromby to Council of Trade and Plantations. I beg to lay before you some, and the only, proceedings had in the court of Exchequer in South Carolina, by which you will see how far that court is established in

practice. Two commissions of enquiry, one to find office for the king for lands escheated for want of heirs, the other to enquire into the estate of a felon, were issued out under the hand and seal of the chief baron and returnable into the court of Exchequer. To those commissions were annexed writs of *venire facias* requiring the provost marshal to summons a jury out of the vicinity to make inquest of such persons so summonsed. Some did, others did not, appear; many would not serve. This I apprehend was from advice some lawyers in the province had beforehand given them, vizt. that they were not compellable to answer such writs and summonses being issued out and returnable in a court unknown in the province; and further that as they were persons from the vicinity of the premises they were not finable for not acting as jurymen, because by the 22nd clause of an Act confirming and establishing the ancient and approved method of drawing juries by ballot etc., it is there declared that the chief justice and justices of the peace for the time being shall and are thereby impowered to summons juries on special occasions for inquests of office etc. out of the division numbered (five or six), which division contains none but persons residing in or near Charleston, and that no juries or inquests (except coroners' inquests) shall be drawn in any other manner whatsoever. So that by the above law you perceive none can serve as jurymen either in the courts of record or on special inquests, except the coroners' inquest, but such as are drawn before the chief justice in the manner therein set forth; and by this means taking of inquests for the king becomes not only extremely difficult but very expensive by carrying a jury from Charleston to the extremities of the province where perhaps the premises are. *Signed. 1½ pp. Endorsed, Recd. 8 June, Read 13 June 1738. [C.O. 5, 366, fos. 90-91d.]*

281

June 12.

Answers of Attorney- and Solicitor-General to queries about erecting a court of Exchequer in South Carolina. They are of opinion that the crown has by prerogative the power to erect such a court which may be done by letters patent under the seal of the province by virtue of H.M.'s commission to the governor for that purpose; that a court so erected would have the same powers as the court of Exchequer in England; that its proceedings should be agreeable as near as may be to the practice here; and, doubts having arisen touching the authority of the present chief baron, that it would be more proper that a special commission should be issued to the governor authorizing the establishment of such a court and the constitution of the chief baron and other officers of it. *Signed, D. Ryder, J. Strange. 1½ pp. Endorsed, Recd., Read 13 June 1738. Enclosed,*

281. i. Warrant for appointing William Smith to be chief baron of the court of Exchequer in North Carolina, 11 May 1732. *Copy. 1½ pp.*

281. ii. Extracts of commission and instructions to Governor Samuel Horsey relating to court of Exchequer. *Copy. 1½ pp. [C.O. 5, 366, fos. 84-89d.]*

282

June 12.  
Georgia Office

Harman Verelst to James Abercromby, Attorney-General of South Carolina. The Trustees for Georgia desire you will on your arrival at Charleston cause the enclosed notice to be published in the *South Carolina Gazette* to be continued for one month as it was in the *London Gazette* for April last, herewith sent. They have directed their secretary in Georgia to send letters for England through you. When you receive any packet for the Trustees, note upon it the day you receive it and by what conveyance, and forward the same by the next opportunity, taking two receipts from the master of the ship, one to be sent by same ship, the other by the next opportunity. The Trustees will observe the same method in sending to you packets for Georgia. William Stephens will defray your expenses. *Entry. 1 p. [C.O. 5, 667, fo. 73.]*



283

June 12.  
Georgia Office.

Same to William Stephens per Mr. Abercromby on *Samuel*, Capt. Percy. The Trustees acknowledge receipt of your letter of 27 February last and journal from 18 January preceding, with which they are very well satisfied. They have received a representation from the inhabitants of Highgate concerning the land on which they are settled, copy enclosed. You, with Henry Parker, are to view their lots and report to the Trustees how far their complaints are grounded. If it appears to you that any of the said inhabitants has not sufficient good land to subsist himself, you are then to order the surveyor to set out five acres of the best land unset out and nearest his lot, he resigning the like quantity of the most unprofitable land lying least convenient for him. As to the cows and calves mentioned in the said representation, they are to be immediately supplied therewith if they have not before been delivered to them.

The Trustees for the convenience of a safe and regular correspondence having directed you to give notice to the inhabitants of Georgia to bring or send their letters to you once a fortnight to be forwarded to England by every opportunity that next offered, they now repeat that Mr. Causton and everyone else should bring or send their letters to you to be put up together in one packet or box to be sealed with your seal and forwarded regularly to Charleston (when opportunities for England directly do not then offer) directed to James Abercromby, H.M.'s attorney-general of South Carolina, who has accepted of the care of the Trustees' packets and letters to be forwarded to and from England, his charges to be defrayed out of the contingent expenses of the colony. Letters for Charleston are to be in a separate parcel and directed to Mr. Abercromby. When opportunities offer of sending to England directly, deliver your packet to the master of the ship taking two receipts, one to be forwarded by the same ship to demand the packet here, the other by the next opportunity. The Trustees have desired Mr. Abercromby to publish in the *South Carolina Gazette* for a month together the notices sent to be affixed to the storehouses doors at Savannah and Frederica, expense to be defrayed to him out of contingent expenses.

The accounts you have sent the Trustees from Frederica and the southern settlements are very pleasing and satisfactory. They wish there could be the least resemblance of the like accounts from the northern settlements. The Trustees observing by a list of servants imported by Capt. Hewitt that several of them are employed in working at the crane, they desire to know what allowances are made by persons landing or loading goods on their own accounts, which ought to be if it has not been made towards the expense of maintaining the said servants. You are further to see what servants are employed in the garden and, in case there are not sufficient hands already employed, that the number be made up four out of the Trustees' servants now under Mr. Bradley's care, of which you are to give him notice. The Trustees also desire to have some further explanation what endeavours have been used and by whom to seduce Mr. Camuse away from the service of the colony in the management of the silk; they are very glad to hear that that evil intention is timely stopped. They desire you will in your future journals leave a margin on both sides that they may be bound together. You are to deliver the letter to Mr. Causton herewith sent you and take his receipt. The boats mentioned in the estimated expenses for 1738-9 to be employed as seaboats at Tybee and Frederica, General Oglethorpe will deliver when he arrives. Acquaint Henry Parker that the Trustees have advanced another year's rent to Mary Cooper for her house rented by him; that money may be applied towards the established allowances from midsummer 1738. John West having named David Provost junior of New York, merchant, to succeed to the lot late Joseph Hughes's, and Captain William Thomson having agreed thereto, he will bring over with him the approbation of the Common Council to the

said nomination. *Entry.* P.S. Mr. Causton having sent the Trustees further accounts of Mr. Bradley's, please deliver copies of them herewith sent you to Mr. Jones to whom Mr. Bradley's accounts are referred. 3 pp. [C.O. 5, 667, fos. 69d-71.]

284

June 12.  
Georgia Office.

Harman Verelst to Thomas Causton, by *Samuel*, Capt. Percy, and by *Charles*, Capt. Reid. Since the Trustees' letter of 19 May, the following certified accounts have been brought to the office for payment, which the Trustees have absolutely refused: 28 February 1737/8, David Provoost, 348*l.* 2*s.* 1*d.*; 7 March, Messrs. Minis & Salomons, 124*l.* 2*s.* 8*d.* and 90*l.* 15*s.* 5*d.*; 8 March, Messrs. Woodward & Flower, 450*l.* 1*s.* 3*d.*; 9 March, John Provoost, 296*l.* 9*s.* 10*d.*; 15 March, Messrs. Ellis & Ryan, 243*l.* 15*s.* 4*d.*; 20 March, Samuel Tingley, 144*l.* 16*s.* 5*d.*; which being added to the 11,684*l.* 16*s.* 7*d.* makes 13,382*l.* 19*s.* 7*d.* come to your hands since midsummer 1737, of the application whereof and the necessity of such expenses the Trustees have not received any account. But on the contrary, your letters of advice of many of these certified accounts mentioned the parcels being taken by you for the encouragement of the persons bringing them. The Trustees cannot conceive any possibility of consuming these vast quantities of provisions while they are good and those spoiled will be a dead loss. They are much surprised and cannot imagine what could induce you to receive everything that was brought you in the manner you have done not only without orders from them but without the things so received being sent for or wanted, and also many of the cargoes containing parcels among them in no manner fit for the Trustees to concern themselves in buying, their business being only to provide the proper species of provisions fit for those they contracted to provide for who were not to be fed with dainties but with food agreeable to what they were afterwards to raise for themselves by their labour.

The Trustees wait with impatience to know the receipt of their orders for your certifying no more accounts and to know from you how many you have certified lest there should be any outstanding which have not yet appeared; for they can form no proper resolutions until the whole is known. In the meantime Capt. Thomson will bring you back for payment the account you certified to him 21 January last amounting to 469*l.* 1*s.* 1½*d.*, whereof 183*l.* 8*s.* 1½*d.* is stated for parcels received in the Trustees' store, of which parcels the paint is over-computed 5*s.* 7½*d.* and the other part of the account is all for parcels sold to private persons which you state the Trustees Dr. for to Capt. Thomson although the several amounts are all entered as advanced to the said private persons, and that not by the Trustees but yourself, which make in the whole 285*l.* 13*s.*, whereby the said certified account amounts to 468*l.* 15*s.* 6*d.*, which the Trustees have also absolutely refused the payment of and Capt. Thomson must seek payment from you. As to what was received in the store, it was so received without the Trustees' authority; but if the parcels are in store and not spoiled or have been applied in the defraying any expenses the Trustees ordered to be made, then you may apply the Trustees' sola bills in your hands in payment thereof. But as to the values of the parcels advanced to private persons, you must take care to make those persons pay the captain for the same, he saying he trusted them on your credit, and if any of them are entitled to any payments from the Trustees pursuant to orders already given, the captain may receive such payments on their accounts in sola bills in discharge of their debts to him. This certified account is besides the 13,382*l.* 19*s.* 7*d.* stated.

[Orders to William Stephens concerning sending of private letters from Georgia and the rent of Mary Cooper's house are repeated here. See No. 283.] The Trustees have also paid the rent of Peter Gordon's house to Lady Day last; but the rent from Lady Day is payable to Major Cook's daughters. *Entry.* P.S. The Trustees received your



letter of 1 March last and have sent copies of Mr. Bradley's further accounts to Mr. Jones to whom his accounts are referred. Your reasons for receiving provisions and certifying accounts are no way satisfactory to the Trustees. What your further answers on this occasion may be is a future consideration.  $2\frac{1}{2}$  pp. [C.O. 5, 667, fos. 71d-72d.]

285

June 12.  
Antigua.

Governor William Mathew to Duke of Newcastle. After incurring H.M.'s displeasure I could never have continued governor of these islands to this day but through your favour and intercession with H.M. on my behalf. I assure you I have and ever shall retain a most grateful and dutiful sense of your great goodness to me. All I can learn from my friends at home is that they apprehend the French king will recall his most severe edict and that restitutions are mutually to be made of all seizures where no actual trade was proved or no strong circumstances appeared to prove from the nature of the lading etc. an intention for trade. But still the evil of this illicit trade continuing and H.M. as by his instructions and the French king by his edict having sufficiently declared their intentions an end should be put to it, I presume new instruction and a new edict will issue for that purpose; and I beg leave to lay before you that this service can never be effected by H.M.'s governors and the French governors but by their acting de [*sic*] concert and assisting each other as was my very first proposal to M. Champigny, governor of the French islands. I must not take up too much of your time by a long letter. I have explained wholly on this service to John Spooner, H.M.'s solicitor-general for these islands, who will have the honour of delivering this to you, who from his many years residence here is as well-informed as anyone can be of what H.M.'s service requires here on this and every occasion, and with whom I have drawn a plan for completing with the French the destruction of a trade injurious to them and of utter ruin to us, which he will offer to you. *Signed.* 2 pp. *Endorsed,* Recd. 24 August by Mr. Spooner. [C.O. 152, 44, fos. 114-115d.]

286

June 13.  
Cape Fear.

Governor Gabriel Johnston to Council of Trade and Plantations. Being lately informed that the gentlemen of South Carolina are making some attempts to induce you to set aside the boundary line betwixt them and this province as the same was settled at their own request about three years ago, I offer what follows to your consideration. It cannot easily be forgot what difficulties occurred and what warm disputes passed concerning this affair for the first five or six years after H.M.'s purchase. Upon my arrival at Cape Fear anno 1734, in the first letter I had from the governor of South Carolina, he was anxious to know if I had not brought over a more plain instruction about the dividing line. When I assured him I had not but did design to put the old instruction into execution, early in 1735 three commissioners were appointed with full powers from the governor, council and assembly of South Carolina to adjust that matter with other commissioners to be appointed by this province. The commissioners from South Carolina came into this colony and desired that, without adhering with too much rigour to the words of the instruction which favoured our pretensions very much, we would agree to such reasonable propositions as they designed to make us and then join our endeavours to get this agreement ratified at home. An agreement was accordingly drawn up in full and ample form, signed, sealed and exchanged by the commissioners of the two provinces, ratified by their respective constituents, and the most difficult part of the line actually marked in pursuance of this agreement. Soon after I had the honour to acquaint you with the transaction and you assured me in your answer that you would show great regard to this solemn and peaceful decision of an affair that had formerly been the occasion of

much wrangling and contention.

Since that time H.M. has granted to some merchants in London 1,200,000 acres of land in this province, a great part of which is ordered to be laid out on the head of Pedee river and just within the dividing line as it was agreed to by the commissioners; and this, it is presumed, may be looked upon as an actual confirmation on H.M.'s part of this division of his two provinces. The surveyor-general of this colony has been actually employed in this survey for some months past and must continue still a long time, attended with a great number of men and horses with provisions, so that this article alone must cost the gentlemen concerned a great sum of money besides their charges in soliciting that matter at home. And all this must be lost to them if the desires of South Carolina are complied with. Upon the whole it is submitted to you whether an agreement which these gentlemen came into this province to solicit, which they consented to with great joy, which they afterwards ratified and partly carried into execution, an agreement which you approved of and has in some measure the royal sanction, ought to be set aside purely to gratify these gentlemen's humours; or whether it is not very probable that, as they were at first very uneasy under the royal instruction on this head, though drawn in the manner they desired, and are now dissatisfied with their own agreement, any concession now made will give them any lasting satisfaction or prevent you from future applications on this affair. It is hoped that at least you will hear what can be said in behalf of this province before any alteration is determined. *Signed. 3 pp. Endorsed, Recd. 20 December 1738, Read 10 January 1738/9. [C.O. 5, 295, fos. 140-141d.]*

287

June 13.  
Annapolis Royal.

John Adams to Duke of Newcastle. Governor Philipps, Governor Belcher and Lieut.-Governor Armstrong have each promised to recommend me to your favour. But lest they forget I beseech you will put the enclosed petition into the king's hand. *Signed. 1 small p. [C.O. 217, 39, fos. 202-203d.]*

288

June 14.  
Palace Court.

Minutes of meeting of Trustees for Georgia. The accountant acquainted the Trustees that a Bank receipt for 359*l.* paid in by Ald. Heathcote to balance his imposts came to his hands since last meeting and was exchanged with the Bank 13th inst. *½ p. [C.O. 5, 687, p. 83.]*

289

June 14.  
Georgia Office.

Benjamin Martyn to William Stephens by [James] Abercromby. In your letter of 27 February 1737/8 and in your last journal you make mention of a right claimed by the grand jury at Savannah to administer oaths and make an enquiry thereon into all such matters as they think fit to examine into. The Trustees are sensible that great mischief may be done by ill-designing men who may get into the same panel if this claim were allowed of; and they therefore acquaint you, and by you the people, that the grand juries have no right to administer any oaths and that their claim is entirely without any foundation either of custom or law. *Entry. P.S. Acquaint Mr. Causton that the journal mentioned in his letter of 1 March has never been received. The Trustees desire to know how the Sterlings and that knot of people are supported since they live in such an idle manner in the town and take no measures to support themselves by cultivating their lands. 1 p. [C.O. 5, 667, fo. 68.]*

290

June 14.  
Georgia Office.

Harman Verelst to General James Oglethorpe on *Blandford* man-of-war at Spithead. The Trustees know by Capt. Daubuz who left Savannah in February last that unless speedy care be taken the lighthouse at



Tybee will fall; it is thought that the cost of the necessary work will not exceed 100/. They desire you would give directions for it. *Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 73d.]

291

June 14.  
Whitehall.

Council of Trade and Plantations to the King, recommending Reverend Walter Thomas to be of the council in St. Christopher's in the room of John Garnett, who has removed to South Carolina. *Entry. Signatories,* Monson, M. Bladen, James Brudenell, R. Plumer. 1 p. [C.O. 153, 16, fo. 72.]

292

[June 14.]

Proposals of Henry McCulloh on behalf of John Cartwright and his associates. They are willing to undertake the settlement proposed in South Carolina in an uncultivated part between the rivers Santee and Watree under the following conditions: that they be allowed 200,000 acres, to be surveyed in four parcels of 50,000 acres as contiguous as may be but no parcel to be more than ten miles from another; that these parcels be granted by the governor to Mr. Cartwright in such proportions as required by him but no proportion to contain less than 12,000 acres; that Mr. Cartwright pay no greater fees than in proportion to what has been taken in running out the townships in that province; that all grants be made by the governor immediately upon the return of the surveys to him and that they all bear equal date; that the quit-rents of 4s. proclamation money per 100 acres begin ten years after the grants; that in case mines be found one-fifth of gold and silver ore and one-tenth of other mines and minerals be reserved to H.M. *Signed,* for Mr. Cartwright and associates, Henry McCulloh. 1 p. *Endorsed,* Recd. 14 June, Read 16 June 1738. [C.O. 5, 366, fos. 92-93d.]

293

June 16.

Account delivered by Col. Samuel Horsey of the several forts in South Carolina, showing guns mounted and how many are said to be necessary to complete. Johnson's Fort: mounted 5, to be added 20. White Point, Ashley River, a new fort: mounted none, to be added 30. Granvill Bastion: mounted 12, to be added 3. Craven's Bastion: mounted 7, to be added 7. Curtain Line on bay of Charleston: mounted 3, to be added 17. Hog Island: mounted none, to be added 10. Winyaw, a new fort: mounted none, to be added 10. Edestoe River, a new fort: mounted none, to be added 6.

At Port Royal. Fort Frederick: mounted none, to be added 20. St. Helena Island, a new fort: mounted none, to be added 12. Hilton Head, a new fort: mounted none, to be added 12. Total: 27 mounted, 147 to be added.

By this account received from Mr. Hammerton, secretary to the province, it appears there are in the province 27 mounted guns, 45 unmounted; total fit for use, 72. N.B. These were the guns sent from England in 1732 and are all the province ever had given them. In April 1737 Capt. Sutherland, commander of Johnson's Fort, reports that there were 23 pieces of cannon all unserviceable (except two sakers), being honeycombed and under metal by one-third part, which in case of service or use when hot would split. These were bought at several times out of ships and are of diverse sorts. The 72 cannon (22 eighteen-pounders, 20 twelve-pounders, 20 nine-pounders and 10 six- or four-pounders) from England are very good. From these accounts the state of the artillery appears to be 95 pieces in all, of which 21 may be deducted as unserviceable. It is said they have only 500 smallarms in the magazine. *Signed.* 2 pp. *Endorsed,* Recd., Read 22 June 1738. [C.O. 5, 366, fos. 97-98d.]

294

June 16.  
St. Martin's  
Library.

Philip Bearcroft to Earl of Egmont, introducing Mr. Norris the bearer as willing to undertake the office of missionary for Georgia. The S.P.G., to which he was recommended by the Primate of Ireland, has no vacancy. The affair with the Duke of Grafton hangs yet in suspense. *Signed*. 1 small p. [C.O. 5, 640, fos. 124-125d.]

295

June 17.  
Antigua.

Governor William Mathew to Alured Popple. I send in a box under the care of Capt. John Lamb the duplicates of the three Montserrat laws, the originals of which I transmitted to you 16 May last; and to these I have added another Montserrat Act entitled an Act for repairing Plymouth Fort and magazine etc. I have no other public papers to send. *Signed*. 1 small p. *Endorsed*, Recd. 17 August, Read 3 October 1738. [C.O. 152, 23, fos. 157, 157d, 160, 160d.]

296

[June 20.]

David Dunbar to Council of Trade and Plantations, enclosing accounts of disbursements on the new settlement at Fort Frederick. When I began those settlements I was to have nothing until H.M. thought me deserving of consideration. At that time I hoped that an allowance might be made out of the crown's quit-rents. Obstructions from the governor and people of Massachusetts have proved my ruin. For clearing some of the land I paid 50s. sterling an acre and for other of it 6s. a day New England money. I intended to sell the cleared land but, waiting till the opposition should be over, I never sold an acre. I will make affidavit that 5,500*l.* would not make me amends for my expenses, costs, damages, insurance of life and interest paid and to be paid. I enclose a schedule of papers now lodged with your secretary. *Signed*. 3 small pp. *Endorsed*, Recd. 20 June, Read 21 June 1738. *Enclosed*,

296. i. Schedule of papers in four bundles. 1 p. *Endorsed*, as covering letter.

296. ii. Abstract of Col. Dunbar's account of expenditure on new settlements at Frederick's Fort. All the accounts should have been more methodical but that I never imagined I should have occasion to solicit payment. Col. Dunbar took up 11,931*l.* 7*s.* 3½*d.* New England money towards the settlements. He has paid towards satisfaction of this 7,670*l.* and yet owes 8,570*l.* including interest. Besides this he has to pay or is to pay above 1,500*l.* unjustly awarded by undue influence of Governor Belcher. *Signed*. 2 pp. *Endorsed*, as covering letter. [C.O. 5, 880, fos. 301-306d.]

297

June 21.  
Georgia Office.

Benjamin Martyn to Andrew Stone, transmitting the enclosed for the Duke of Newcastle. *Signed*. 1 small p. *Enclosed*,

297. i. Affidavit of Joseph Preu, sworn at Savannah, 12 April 1738, before Henry Parker and Thomas Christie. On 26 August 1737 deponent arrived at Havana in the sloop *Unity*; about 20 September he was seized and made prisoner. It was publicly known there that the governor of Havana was preparing a force to invade Georgia and that he had provided two 60-gun ships, one 30-gun ship, two 24-gun ships and two 8-gun sloops. There was talk of embarking 7,000 men. About the beginning of March, orders came from Old Spain to put a stop to the invasion and on 26 March deponent saw the two 60-gun ships unrigged and hauled up; but the others remained in a condition to sail. Deponent was taken to St. Augustine in one of the 24-gun ships with a small ship, two snows and a schooner as transport, 500 soldiers and 80 Spanish servants: they arrived at St. Augustine on 2 April. In the harbour were 1 Spanish sloop, 6 galleyats, 37 lances and pinnaces and two English sloops. During his stay there, a proclamation was read promising freedom to slaves that should run away from the English. The 24-gun ship with one sloop sailed on a cruise on 7 April. Most of the small craft at St. Augustine sailed



for Havana on 14 April. Deponent came to Savannah on the *Beaufort* schooner, James Howell, master. *Copy.* 1½ pp. *Endorsed*, Enclosed in Mr. Causton's letter of 20 April 1738. [C.O. 5, 654, fos. 154-157d.]

298

June 21.  
Antigua.

Governor William Mathew to Alured Popple. I have delivered to Capt. Manesty a box containing two Acts of Antigua. The first is for raising a levy of above 20,000*l.*, a vast sum for so small an island, but the great expense the negro plot occasioned and the debts accruing from last year's very small crop made this great tax unavoidable; as to the rest it is in the usual form of tax acts. The other is a law to reduce interest from ten to six per cent. This law met with some opposition from some of the factors in trade here, and they were heard by their counsel against it but they very poorly supported their allegations. However I should have insisted on its having the suspending clause till H.M.'s pleasure should be known but that other such laws are in force in other islands, that the opponents allowed the usual 10 per cent. interest was exorbitant and proposed a reduction though but to 8 per cent. instead of 6, and that the law takes place not in less than four months, a reasonable time for any merchants in England to employ his money elsewhere if 6 per cent. be too small an interest in Antigua. The preamble gives very strong reasons to prove this law was greatly wanted; it has no retrospect; and none but the most voracious usurers can object to it. *Signed.* 2 small pp. *Endorsed*, Recd. 17 August, Read 3 October 1738. [C.O. 152, 23, fos. 158-159d.]

299

June 21.  
Whitehall.

Council of Trade and Plantations to the King, enclosing the following. *Entry.* *Signatories*, Monson, M. Bladen, R. Plumer, R. Herbert. 1 p. *Enclosed*,

299. i. Draft of additional instruction to President Dottin of Barbados relating to fees due to Francis Whitworth. *See* No. 382. i. *Entry.* 2 pp. [C.O. 29, 16, pp. 68-71.]

300

June 21.  
Whitehall.

Same to same, recommending the disapprobation of an Act passed in Antigua in April 1737 for the trial of John Coteen, a free negro man, and Thomas Winthorp, a free mulatto man, etc. Mr. Fane is of opinion that as this act is intended in this particular case to alter what has always been the unvaried law of that country not to admit slaves to give their testimony in courts of justice against free persons and made long after the crime was supposed to be committed, it is of a very extraordinary nature and may be a precedent highly dangerous to the lives and properties of your free subjects; to which he adds that he has been informed the persons whose evidence was made use of against the said Coteen and Winthorp were actually under conviction for the crimes of treason and rebellion and therefore also in point of law under another incapacity. We further observe that this law, being so extraordinary, ought to have had a clause suspending the total execution thereof till your pleasure should be known. But instead the suspending clause in this act goes only to respite the pronouncing of sentence till your pleasure shall be known, and in the meantime they have actually proceeded to the trial of Coteen and Winthorp. For all which reasons, as well as because no evidence has been laid before us either to support the preamble of this act or any necessity for the passing thereof, we lay it before you for disapprobation. *Entry.* *Signatories*, Monson, M. Bladen, R. Plumer. 2½ pp. [C.O. 153, 16, fos. 72d.-73d.]

**301**June 21.  
Whitehall.

Same to same. Pursuant to your order in council of 25 May last we have prepared a draft of an instruction for the governor of South Carolina directing him to recommend to the council and assembly of that province to prepare an Act for settling the Indian trade to the mutual satisfaction and benefit of South Carolina and Georgia. *Entry. Signatories*, Monson, M. Bladen, R. Plumer, R. Herbert. 1½ pp. *Enclosed*,

301. i. Draft of instruction to Governor Samuel Horsey. *Entry*. 2 pp. [C.O. 5, 401, pp. 269-272; draft in C.O. 5, 381, fos. 275-277d.]

**302**June 21.  
Whitehall.

Same to same. Pursuant to your order in council of 25 May last we have prepared draft of an instruction for the Trustees for Georgia recommending them to prepare an Act for settling the Indian trade to the mutual satisfaction and benefit of Georgia and South Carolina and to direct their commissioner in Georgia to grant licences to such Carolina traders who shall apply for the same and bring certificates from the governor and council of South Carolina that they are proper to be licenced and not to levy the sum of 5*l.* or any part thereof on the said Carolina traders. *Entry. Signatories*, Monson, M. Bladen, R. Plumer, R. Herbert. 1½ pp. *Enclosed*,

302. i. Draft of instruction to Trustees for Georgia. *Entry*. 2½ pp. [C.O. 5, 401, pp. 265-268; draft of covering letter in C.O. 5, 381, fos. 273-274d.]

**303**June 21.  
Whitehall.

Same to Committee of Council. Pursuant to your order of 27 May last we have considered Henry McCulloh's memorial with some proposals thereto annexed. We believe several of the facts therein stated to be true. And although the accounts we have received from successive governors in some of those colonies with relation to grants and quit-rents have been very different, more especially in North and South Carolina, lately purchased by H.M., which makes it extremely difficult if not impossible for us to lay before you a true state thereof or to propose proper remedies for the abuses now practised there; yet as we are convinced H.M.'s instructions have not hitherto had their proper effect and that the crown has been and is still greatly defrauded in its revenues in these colonies, we are of opinion that it might be for H.M.'s service that an officer should be appointed with proper powers and instructions to enquire into the frauds, encroachments and abuses relating to the grants and quit-rents in the colonies of North and South Carolina according to the purport of the memorial. *Entry. Signatories*, Monson, M. Bladen, R. Plumer. 2 pp. [C.O. 324, 12, pp. 240-241.]

**304**June 21.  
Whitehall.

William Wood to Council of Trade and Plantations. The many complaints relating to paper bills in so many of the Plantations have induced me to send you the following. If you have objections to it or want explanations I will endeavour to satisfy you. I have not imparted this paper to any body of merchants in general but only occasionally to three gentlemen of this City, two of Bristol, two of Liverpool and to each separately, who every one approve it. *Signed*. 1 small p. *Endorsed*, Recd. 21 June, Read 22 June 1738. *Enclosed*,

304. i. Proposal to remedy the mischiefs in the issuing of paper money and raising the coin. There should be a gold and silver coinage with 'America' stamped on each piece. It should be put in circulation through the army, navy and the mint. The coins should not be exported from the colonies to foreign possessions but only to other colonies and to this kingdom. No other coins than these to pass in the Plantations otherwise than by weight. [*Further particulars given*] 2 pp. [C.O. 323, 10, fos. 132-135d.]



**305** Thomas Hill to Francis Fane, enclosing Act passed in South Carolina  
 June 21. in August 1731 for drawing juries by ballot and for administration of  
 Whitehall. justice in criminal causes, for reconsideration together with objections  
 to the said Act by the chief justice of South Carolina. *Entry.* 1 p. [C.O. 5, 401, p. 264.]

**306** Minutes of meeting of Trustees for Georgia. Read letter from Thomas  
 June 21. Causton dated 20 April 1738 with copies of several affidavits and  
 Palace Court. letters. Read letter from Thomas Jenys dated 24 April 1738. Ordered  
 that an answer be sent to Mr. Jenys. The affidavit of Joseph Preu [*see* No. 297. i.] being  
 read, ordered that the secretary enclose it in a letter to Andrew Stone and desire him to  
 lay it before the Duke of Newcastle. 1 p. [C.O. 5, 687, p. 84.]

**307** Benjamin Martyn to Andrew Stone, enclosing copy of affidavit of  
 June 21. Joseph Preu from the magistrates of Savannah, which the Trustees  
 Georgia Office. desire be laid before the Duke of Newcastle. *Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667,  
*fo.* 73d.]

**308** John Cartwright to Council of Trade and Plantations. As you do not  
 June [21]. approve of that part of the proposal in my petition that regards the  
 survey of the lands in running them out in sixteen different tracts, I have consulted with  
 my associates and find them willing to undertake the settlement and to prosecute it with  
 vigour provided you allow us to take up the lands in four different parcels of 50,000  
 acres each and admit us to take out separate grants of the lands in such proportions as  
 may be most for the advantage of the undertaking; but no grant to contain less than  
 6,000 acres. This affair will be attended with great expense which inclines me to hope  
 that you will not insist upon any conditions that may clog the undertaking, particularly  
 in what regards the number of white persons that is to be settled on the lands petitioned  
 for, the number of people already proposed being more than a sufficient security for  
 the payment of quit-rents; and when they are supplied with a proper number of slaves  
 to manure the lands it will answer all the ends proposed in settlements of this nature.  
*Signed.* 1 p. *Endorsed, Recd.,* Read 21 June 1738. [C.O. 5, 366, *fos.* 94-95d.]

**309** Council of Trade and Plantations to Committee of Privy Council.  
 June 22. Pursuant to your order of 27 May last we have considered the petition  
 Whitehall. of John Cartwright for lands in South Carolina. We have been  
 attended upon this occasion by Mr. McCulloh, agent for Mr. Cartwright, who has  
 informed us that the petitioner and his associates are willing to undertake the settle-  
 ment proposed in South Carolina in an uncultivated part of the country between  
 Santee and Watree rivers under the following conditions: [*see* Nos. 292, 308] Although  
 the quantity of land proposed to be settled in this manner is very great amount-  
 ing to 500 acres for each person designed to be settled thereon, yet considering Mr.  
 Cartwright and his associates propose not only to transport the said 400 persons at  
 their own expense but to provide every other thing necessary for them and that they will  
 not make the settlement on other terms, and as an undertaking of this nature would be  
 advantageous to the province where there are vast tracts of lands not yet cultivated and  
 such settlement will increase the quit-rents and be the means of improving the trade of  
 the said province, we must submit it to you whether it may not be for H.M.'s service to  
 comply with the petition on the foregoing conditions except as to the payment of fees  
 which we think should be after the usual rate; and in case H.M. should approve these  
 conditions, that the governor of South Carolina should be instructed to grant Mr.

Cartwright and his associates the lands he desires in the manner abovementioned and to take care in the grants to be made for this purpose that no part thereof be already granted to any other person and that he do insert a clause in the said grants to make the same void as to so much of the said lands as shall not be settled within ten years according to the proportion of one white person for each 500 acres of land with a proviso that till such time as the crown shall think fit to resume the said lands as forfeited for want of being settled within the said term of ten years the grantees be obliged to pay the quit-rent for the same. *Entry. Signatories*, R. Plumer, Monson, M. Bladen. 6½ pp. [C.O. 5, 401, pp. 272-278; draft in C.O. 5, 381, fos. 278-281d.]

## 310

June 22.  
Treasury  
Chambers.

John Scrope to Nicholas Paxton. The Lords Commissioners of H.M.'s Treasury upon reading the enclosed papers direct you to lay the several cases arising therefrom before H.M.'s Attorney-General and to pursue with diligence such orders as he shall think fit to give therein.

The papers are a memorial from the Auditor of the Plantations dated 19 June 1738 for defending the crown's right and interest in a contest between the council of Virginia and Lord Fairfax relating to a large tract of land there, and two memorials from Mr. Whitworth. *Copy*. 1 small p. *Endorsed*, Recd., Read 21. February 1738/9. [C.O. 5, 1324, fos. 145-146d.]

## 311

[June 22.]

Forms of receipt given by the receiver-general for quitrents payable in South Carolina and of entries of the same in the journal of the receiver-general. 1½ pp. *Endorsed*, 22 June 1738. Given in at Col. Bladen's desire by Mr. Hamerton. [C.O. 5, 366, fos. 99-100d.]

## 312

[June 23.]

Memorial of David Dunbar, Surveyor-General of H.M.'s Woods in North America, to Council of Trade and Plantations, praying that a stop be put to a grant by the governor and five or six of the council of New Hampshire of land about the northern part of that province which contains a tract of ground bearing large white pine trees which memorialist has already represented as fit and to be reserved for the Navy. *Signed*. 1 p. *Endorsed*, Recd., Read 23 June 1738. [C.O. 5, 880, fos. 307, 307d, 310, 310d.]

## 313

June 25.  
Savannah.

George Dunbar to Harman Verelst. We were in hopes that the general would be here as soon as we and now we look wishfully for him every hour. The men, since they have gone to their several garrisons, have preserved their health so wonderfully that when I left St. Simon's on 19th we had but one man and one woman sick and they carried their ailments with them to the country. Upon our arrival there were 33 sent to hospital at Savannah, of which five died and three are now sick; the rest have already or are now ready by the first opportunity to join their companies. Our small houses at St. Simon's are by this time I hope finished, 14 foot by 12 foot for every six men, and I am told they are as forward at St. Andrew's. The men are so delighted with the country that I am convinced they would not change their situation with any regiment the king has, and how much more so when they begin to reap the benefits our general's presence and a few years industry will bring them. I have five men at work on the farm lot the general gave my sister at Frederica, and I hope to contribute a little to remove the prejudices some industrious enemies of industry and the colony have maliciously spread (that planting will not do). If there is any embarkation of servants from Scotland this year, I will be obliged if you would mention to the Trustees to allow me the passage of ten servants to be put on



board by my friends at Inverness and I will pay the passage here in a short time after their arrival. Of this I write to Mr. Hossack and recommend to him to send me them of the age of about 15 or 16 years rather than grown men, and if you write him you may mention this. I intend them for my 500-acre lot on the Altamaha which the general intends to give me for what I now have on this river. I hope the primage is paid to Mr. Grant. *Signed*. P.S. Be so kind to get the two enclosed letters franked and forwarded. 2½ small pp. *Endorsed*, Recd. 19 March 1738/9. [C.O. 5, 640, fos. 126-127d.]

314

June 26.  
Augusta.

fos. 128-129d.]

Recommendation by Roger Lacy to Trustees for Georgia that John Miller should have a grant of 50 acres, lot No. 12, in township of Augusta. *Signed*. ½ p. *Endorsed*, Recd. 13 December 1738. [C.O. 5, 640,

315

June 28.  
Kensington.

Royal warrant to Lieut.-Governor William Bull to admit Edmund Atkins, appointed Councillor of South Carolina. *Entry*. ½ p. [C.O. 324, 37, p. 112.]

316

June 28.  
Palace Court.

Minutes of Common Council of Georgia. Mr. L'Apostre acquainted the council that on 13th inst. last year's vouchers to 9th inst. were exchanged with the Bank and the balance of cash in the Bank then amounted to 4,226*l.* os. 6*d.* The accountant acquainted the council that of this balance 1,941*l.* stood appropriated for outstanding sola bills, 1,769*l.* 16*s.* 6*d.* for particular uses and 515*l.* 4*s.* for establishing the colony, which last sum will be increased when payments of last year are posted; and that a draft had been made on the Bank to Ald. Heathcote for 1,000*l.* for sola bills and another for 500*l.* to Ald. Heathcote for the future service of the colony. Certified accounts were brought for payment as follows: 227*l.* 18*s.* 6¾*d.* from Rhode Island, dated 27 March 1738; 349*l.* 17*s.* 6*d.* to Robert Williams & Co., dated 17 April 1738; 241*l.* 19*s.* 9*d.* to Ellis & Ryan, dated 28 April 1738; resolved that the said accounts be sent back to Thomas Causton, they being certified contrary to the order of the council.

Read report from committee of accounts 14 June 1738 that they find 40 menservants by the *Two Brothers* were sent to the Darien to Lieut. Moore Mackintosh who was authorized to offer one to each freeholder there on security to pay 8*l.* in twelve months and to employ the remainder in sawing timber, and that ten women, a boy and a girl were also put under Lieut. Mackintosh for use of the Trust. The committee are of opinion an account should be sent from Lieut. Mackintosh to be certified by the magistrates at Frederica to show to which freeholders any of the said 40 servants have been disposed of and in what service the others have been employed. The committee considered the grant of 300 acres for religious uses of the colony and were of opinion that seven of the servants from Scotland under Lieut. Mackintosh should be immediately employed in the cultivation thereof, and the remainder offered for supplying people at Frederica who want servants. Of the other servants brought from Scotland, George Duncan is returned as sick at Savannah in the list dated 21 January 1737/8; an enquiry should be made what is become of him. The Trustees should bear the expense of the one woman-servant in the service of William Stephens, one in service of John Brown and one in service of John Vanderplank's widow. Committee submits whether Archibald MacBean should pay or not for two menservants. Sir John Lade should pay for the one woman-servant in service of Grace Redford. All other servants amounting to 37 in the service of the following must be paid for by them or Mr. Causton stands accountable: Thomas Causton, Laughlan MacBean, Alexander MacLean, Benjamin Mackintosh,

Lieut. John Moore Mackintosh, William Mackintosh, Kenneth Baillie, James Anderson, John Brodie and Thomas Upton.

The committee also find by a list of servants from Germany who arrived in Georgia 24 December last by the *Three Sisters*, 29 men, 27 women, 16 boys and 15 girls are under the care of Mr. Bradley. 10 men, 10 women, 7 boys and 13 girls were employed at the crane and in the garden, 2 men, 2 women, 1 boy were assigned to Capt. Gascoigne, 2 men, 2 women, 2 boys and 2 girls were sent to the millwrights at Ebenezer; Mr. Causton had 9½ heads of the said servants to his own use. Of the 71 2/3 heads under Mr. Bradley, several have been freed by masters who had leave to repay the charges of sending them. The committee are of opinion that such as shall not be freed before six weeks granted for that purpose, after providing 7 for cultivating the land for religious uses at Savannah, 2 which are ordered with their wives for Henry Parker and 2 for Thomas Christie, should be employed in the cultivation of Bouverie's Farm. The committee considering Mr. De la Motte had served as catechist are of opinion that 10% out of the catechist money should be paid him. Resolved that the council agree with this report and that Thomas Causton be made answerable for the 8% paid for each of the servants with which he entrusted Archibald MacBean.

Read report from committee of accounts of 5 June that they had considered two certified accounts received from August Gotlieb Spangenberg for work done by the Moravian Brethren in Georgia amounting to 260*l.* *or.* 10*d.* and stating the same against freight and other charges paid for the Moravians for which they gave bond. The committee are of opinion that the bonds of 21 January 1734/5 and 14 October 1735 should be delivered up. Resolved that the council agree to this report. Received account from Mr. Paris relating to law expenses; resolved to refer it to committee of accounts and to pay him 50*l.* on account. Read petition from Messrs. Belanger and Nunez with proposals for raising cochineal in Georgia; resolved that it be rejected as too extravagant. Read letter from Adam Anderson setting forth that the S.P.C.K., Scotland, are willing to pay (over and above the present allowance of 50*l.* a year) for the missionary at Darien to procure servants to cultivate the lands allotted to him, on condition of the lands belonging to the Society's missionary there; resolved that John MacLeod have leave to surrender his lot at the Darien to the Trustees and that a 50-acre lot be granted towards the maintenance of a missionary at Darien for so long as the S.P.C.K., Scotland, shall continue to support a missionary there, the same to be approved by the Trustees. 8½ *pp.* [C.O. 5, 690, *pp.* 168-176.]

317

June 28.  
Palace Court.

Minutes of meeting of Trustees for Georgia. William Norris being recommended by the Primate of Ireland and presenting a letter from the Bishop of London, resolved that when he shall be ordained deacon and priest he be sent by the first opportunity as a missionary to Savannah. 1 *p.* [C.O. 5, 687, *p.* 85.]

318

June 28.  
Georgia Office.

Harman Verelst to General James Oglethorpe, care of postmaster at Portsmouth. I received yours of 26th inst. and am glad you were under sail after so long a detention though I fear you will not get far without anchoring or putting back. The certified accounts unpaid now amount to 6,352*l.* 6*s.* 1*d.* to which 1,000*l.* must be added for expenses in England consisting of the office charges, Mr. Paris's bill, freight of goods going by Capt. Thomson and unforeseen expense, all which must come out of the 8,000*l.* granted for this year; so that there is not much above 600*l.* unappropriated and part of that will go to pay the balance due to Mr.



Chardon's executors and Mr. Jenys's executors. Your resolution therefore of not issuing any of the Trustees' sola bills without further directions is very well grounded. The Trustees are very sorry this method of certifying accounts was ever introduced and that they ever consented to pay any of them. That consent was occasioned by the representing to them the want of the arrival of their sola bills and was founded upon an expectation that such methods of certifying accounts could not have subsisted after sola bills had been received to defray the expenses of the colony. But the contrary appearing gives the Trustees the greatest uneasiness, not knowing how many more may come before your arrival in Georgia. The Trustees are very well satisfied with your intended endeavours to put their affairs in Georgia in the best situation for preventing as much as possible any inconveniences to them from Mr. Causton's past conduct, and they heartily wish it may be in your power to do so. I received a letter from Messrs. Crockatt & Seaman dated 22 April last with a bill of parcels for the osnabrigs they sent to Georgia for the Trustees' servants amounting to 38*l.* 5*s.* 4*d.* They write that the 500 men lately arrived at St. Augustine with their families were to build barracks on the island of St. John's to the northward of Augustine and settle there. *Entry.* 1 *p.* [C.O. 5, 667, *fo.* 101.]

319

June 28.  
Georgia Office.

Benjamin Martyn to Bishop of London. The Trustees have resolved to employ William Norris as missionary to Georgia and clergyman at Savannah, and desire you to ordain him deacon and priest so that they may send him within ten days or a fortnight. They also desire your recommending Mr. Norris to the Treasury for the usual allowance made to missionaries. *Entry.*  $\frac{1}{2}$  *p.* [C.O. 5, 667, *fo.* 74.]

320

June 29.  
Kensington.

Royal warrant to Lieut.-Governor William Bull to admit James Crockat, appointed Councillor of South Carolina. *Entry.*  $\frac{1}{4}$  *p.* [C.O. 324, 37, *p.* 112.]

321

June 29.

Thomas Hill to Francis Fane, enclosing six Acts passed at Bermuda in March last for his opinion thereon in point of law, vizt. Acts for ascertaining bounds of lands and settling surveyor's fees; to prevent any person from having nets longer than 3 $\frac{1}{2}$  fathoms; to inforce those who have not paid the impost on horses; to renew an Act to prevent attorneys defending titles of lands without giving security to make good costs; to renew an Act to prevent vexatious suits; for raising money to pay public debts. *Entry.* 2 *pp.* [C.O. 38, 8, *pp.* 295-296.]

322

June 30.  
Whitehall.

Same to same, enclosing a bill passed in Massachusetts in December 1737 for emitting 60,000*l.* redeemable by silver and gold, for his opinion in point of law. *Entry.* P.S. Also enclosed a draft of what Governor Belcher thinks necessary to be added to the bill, as likewise his letter to the Board on that subject, which papers please return. 1 $\frac{1}{2}$  *pp.* [C.O. 5, 917, *fos.* 111*d.*, 112.]

323

[? June.]

Method intended to be taken in settling the lands petitioned for on Watree river, South Carolina. Houses should be built for the reception of those that are transported thither and at first they should be supplied with money at a reasonable interest to enable them to carry on their settlements to advantage; for by experience it is found that the land cannot be cultivated properly in that climate without slaves. Such as are settled on those terms engage to increase the number of their servants yearly in proportion to their ability and the quantity of lands they hold, and that after they have cultivated a sufficient quantity of land to supply themselves they should be

obliged in consideration of the lands granted them to clear and fence in some part of the lands belonging to the original grantees. This method will answer all the ends proposed in giving grants of this nature; as the people conditioned for to be transported to that province are to be settled in the lands they will become a good security for the quitrents; and there is no doubt to be made but that when a settlement is carried on properly in the manner proposed they will draw many of their friends and acquaintances after them, which will be of great advantage to the colony and an increase to the trade and navigation of Great Britain. *Signed*, J. Cartwright. 1 p. [C.O. 5, 366, fo. 96, 96d.]

324

July 1.  
Charlton.

Earl of Egmont to Harman Verelst. The bishop has not used the Trustees civilly in refusing to see Mr. Norris when recommended by them, and his putting him off till Monday (when informed that it was necessary he should be ordained to-morrow) makes me think he will not ordain him; for which let him answer God. However, I have written myself to him, copy enclosed, and I advise your going this very morning with it to Fulham and take Mr. Norris that if my lord consent he may examine Mr. Norris and ordain him to-morrow. Take Mr. Smith if he has the leisure and inclination to go. I would have you venture the departure of the ship by waiting till Sunday week in case the bishop should say he cannot ordain till then but that then he will. If he neither will do it to-morrow nor promise it the Sunday after, you must look out for another bishop. I would by no means speak to Dr. Bundy to attend you to Fulham or even to write to the bishop unless there be a necessity, for I take him not to desire any minister should go unless on the fond foot he left us for not agreeing to. Yet if there were a necessity perhaps he might write, though I doubt it, he not having assisted at our meetings even as Trustee. *Signed*. P.S. Should you apply to the Bishop of Gloucester tell him I would have waited on him if I had known he was in town. If any of them scruple to do the work because the Bishop of London declines it you must summon up your best reasons for explaining the bishop's reason. Mr. Norris lodges in St. Martin's street, Leicester Fields, at Mr. Brown's, a tailor's. I hope you will take care to have a board on Wednesday. 2½ small pp. *Enclosed*, 324. i. Same to Bishop of London, 1 July 1738, asking that Mr. Norris may be speedily ordained deacon and priest in order to catch the boat leaving in ten days or a fortnight. Otherwise several hundred souls will be deprived of public worship to the great scandal of foreigners settled among them and the exposing them to run astray and either become deists or by necessity turn dissenters. *Copy*. 2 small pp. [C.O. 5, 640, fos. 130-133d.]

325

July 3.  
Fulham.

Bishop of London to Earl of Egmont. I have ordained Mr. Norris deacon and am ready to ordain him priest on Sunday next. But I cannot regularly proceed farther than I have already done till I know what his salary is and under what authority and direction he is to be. *Copy*. 1 small p. [C.O. 5, 640, fos. 34-35d.]

326

July 3.  
Blandford in  
Plymouth Sound

James Oglethorpe to Duke of Newcastle. Contrary winds detained us in St. Helen's Road till 30 June. We then sailed with the *Hector*, Sir Yelverton Peyton commander, and five transports. We beat up against the wind but at last were forced to put in here. With the very first wind we shall proceed. All the men under my command are healthy. *Signed*. ¾ p. [C.O. 5, 654, fos. 158-159d.]



327

July 4.  
Whitehall.

Council of Trade and Plantations to Committee of Privy Council. Pursuant to your order of 27 May last we have considered Col. Dunbar's petition for some recompense for his great expenses in

building forts and settling people in some lands deemed to be the western parts of Nova Scotia. In 1729, it being apprehended that the crown had a right to all land between the Penobscot and St. Croix rivers, Col. Dunbar was empowered by H.M.'s instructions of 27 April 1730 to lay out lands for all persons so desirous under certain conditions. Upon Col. Dunbar's arrival, he took possession of an old fort called Pemaquid which the crown had frequently recommended to the Massachusetts government to be taken care of, and repaired it at a very considerable expense. Col. Dunbar set out six different townships. In the neighbourhood of this fort and in most of the townships, as we have been informed by Mr. Tripsach, lieutenant in Col. Phillips's regiment, and Mr. George Mitchell, Deputy-Surveyor of the Woods and Lands, there were about fifty families settled, houses built and lands cleared for them, chiefly at Col. Dunbar's expense, which the said families were to have repaid him. But on application to H.M. in Council it was found that some other persons claimed the lands whereon these settlements were made, and an order was made that possession should be restored to such claimers and the colony dislodged. The persons so settled being dispersed were incapable of making any satisfaction to Col. Dunbar who by his zeal in making the settlement has been a great sufferer. On which account, though we cannot recommend the said Col. Dunbar's pretensions as a direct claim from the crown, we nevertheless think him a proper object of H.M.'s bounty and compassion. *Entry. Signatories, Monson, M. Bladen, James Brudenell, R. Plumer. 5 pp. [C.O. 5, 917, fos. 112d.-114d.; draft in C.O. 5, 896, fos. 98-99d.]*

328

July 5.

p. 366.]

Letter of attorney by Trustees for Georgia to Harman Verelst to receive the 8,000*l.* granted by Parliament. *Entry. 1 p. [C.O. 5, 670,*

329

July 5.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Read letter of attorney empowering the accountant to receive at the Exchequer 8,000*l.* granted by parliament; sealed the same, secretary to countersign.

Received, 12 copies of Dr. Coneybeare's sermons preached before the Charity Schools, 4 May 1738, being a benefaction of S.P.C.K.  $\frac{3}{4}$  p. [C.O. 5, 687, p. 86.]

330

July 6.  
Whitehall

Council of Trade and Plantations to the King. In your instruction to Robert Johnson late governor of South Carolina you permit him to assent to Acts for establishing a paper currency, taking care that a

clause be inserted suspending their execution till your pleasure be known. Col. Broughton in May 1736 passed an Act for emitting 210,000*l.* in paper bills of credit, wherein there is a suspending clause. We have considered the said Act and had the opinion of Mr. Fane thereon and also consulted several eminent merchants and planters of and traders to Carolina, and represent that the general purport of the Act appears to us to be agreeable to your instruction and has many good clauses and provisos in it; but there are some particulars therein to which we have objections. There is a clause directing the treasurer to discount or allow 10 per cent. on all duties inwards which shall be paid into the treasury in silver or gold which is evidently against the intention of the proclamation of 18 June 1704 enacted into a law in 1707 to prevent the drawing money from one colony to another by setting an unequal value thereupon to the great prejudice of trade. There is a provision in this Act for creating a security for an old debt of 100,000*l.* in

paper money now current in that province out of the interest arising by the loan of 110,000*l.* part of the new bills, but there is no clause in it to oblige the borrowers to repay any part of the principal towards the sinking of the said bills which in our opinion ought to have been provided for by gradual payments annually and should have commenced at least upon the acquisition of a sufficient fund for the discharge of the old debt. We do not therefore lay the Act before you for approbation but propose it may lie by and that the governor now going thither may be instructed to recommend to the council and assembly the passing another law for the same purpose not liable to these objections. *Entry. Signatories*, Monson, M. Bladen, R. Plumer, R. Herbert. 5 $\frac{3}{4}$  pp. [C.O. 5, 401, pp. 279-285; draft in C.O. 5, 381, fos. 282-285*d.*]

331

July 7.  
Jamaica

Governor Edward Trelawny to Duke of Newcastle. My last to you was of 26 May by H.M.S. *Dunkirk*, Capt. Fox. The council and assembly are now sitting but have concluded nothing except their having passed a bill to double my salary during my continuance in this government. I find the militia in a very unserviceable state and that it is not in my power to put it on a much better foot, though the safety of the island principally depends upon the courage, number and regulation of that body. It was formerly in a very flourishing condition with regard to all those points: their alteration from that state to this which they are now in is owing chiefly to the following causes. By a clause in the Act of Militia it is enacted that no person shall be obliged to serve in a lower commission than his former, nor one who has been an officer to serve as a private man. And as the government has of late years passed through the hands of many governors and presidents there have been very frequent removals and promotions of officers according to the different judgements of the successive persons in the administration and their dispositions towards the gentlemen and others of all ranks and conditions. Besides, as it is not only burthensome and expensive but often hazardous to serve in any capacity by reason of the frequent and unsuccessful attempts to reduce the rebellious negroes and of their dangerous incursions, many have obtained commissions and have been permitted to resign them immediately in order to be exempted from all service. There is another clause in the same act by which it is enacted that if any person removes his abode from one precinct to another his commander is obliged to give him his discharge, so that such persons likewise, if officers, are exempted from all service till they have a commission in the precinct where they abide *pro tempore* equal to the former. By these means the number of useless reformed officers has multiplied exceedingly; and the young gentry of the best estates and interest finding low mean persons, even such as have been servants to their parents or others, advanced to superior commissions are unwilling to act under them. I have in discourse represented to most of the principal gentlemen the bad situation of their militia, who unanimously agree it is so and wish for a reformation by a new law; but they will not consent to any wherein there shall not be a clause to prevent the removal of officers except by a court-martial with a proviso nevertheless that such clause shall not be in force during martial law. I am not willing to seem inclined to anything which may tend to the diminution of H.M.'s prerogative or the power of the governor; yet I am sensible the country must be ruined if a reformation is not made. Finding myself under these difficulties I have not yet publicly recommended this affair nor propose to do so till I shall have H.M.'s commands about it which there is time to receive before next sessions, which will be about February next. I must observe that there is another great defect in the Militia Act which is that the penalties upon those who are wanting in their duty are so trifling and so difficult to be put in execution that nobody regards the orders of his commanders. It is easy therefore to conceive with what contempt a gentleman of



fortune who may indeed be obliged to serve as a private man if he declines acting as an officer will use such persons as before-mentioned, though under their command. Copies of my speech to the council and assembly, their address to me, and my answer are annexed. I likewise send a list of the warrant officers who now supply the vacant commissions, recommending them to H.M.'s favour for the said commissions in order to encourage fit persons to accept of such warrants; and this I do for that reason in preference to William Newton, George Bird and James Long who came with me to this place in hopes of being employed in H.M.'s troops. These three gentlemen I think worthy to be next recommended. *Signed. 4 pp. Endorsed, Recd. 20 September. Enclosed,*

331. i. Speech of Governor Trelawny to Council and Assembly of Jamaica, 15 June 1738, directing attention to the problem of the rebellious negroes. *Copy. 2 pp.*

331. ii. Address of Assembly of Jamaica to Governor Trelawny, 20 June 1738, with Governor Trelawny's acknowledgement. *Copy. 2 pp.*

331. iii. List of gentlemen who have acted by warrant from the president as lieutenants to supply the vacancies of commissioned officers and who are recommended to H.M. to have commissions: Walter Graham in Sir Alexander Cummins's company, Charles Ramsay in Capt. Robinson's, James Murray in Capt. Merrick's, James Cunningham in Capt. Newton's, Thomas Alcraft in late Capt. Harman's, David Ross in late Capt. Harris's. 1 p. [C.O. 137, 56, fos. 103-108d.]

332

July 11.  
Whitehall.

William Wood to Thomas Hill. Having seen Mr. Wragg and other traders of London to Carolina and also received a letter from Bristol, I beg that the Council of Trade and Plantations may be moved to

report on the merchants' petition against the Act of South Carolina for emitting 210,000*l.* paper money. In the course of some years past the traders conceive they have shown the fatal effects which the issuing of paper bills of credit and the imposing of duties on negroes are to the trade of this kingdom. It is truly a very sensible concern to them to be informed that other reasons against the said Act were expected from them than those they had before given in against paper money in general and this Act in particular. I have never written one letter on paper money or negro duties to Mr. Popple or yourself that was not done by the direction of some of the traders. Nor do I know any one person either of London, Bristol or Liverpool trading on his own account to Carolina either directly or by way of Africa that is not an humble suitor to H.M., not only that Mr. Horsey may be instructed not to pass any law either for the creating and issuing any new bills of credit or for the continuance of any duties on the importation of negroes into Carolina, but that the said Act may have H.M.'s disapprobation. *Signed. 1 small p. Endorsed, Recd. 11 July, Read 12 July 1738. [C.O. 5, 366, fos. 101-102d.]*

333

July 11.  
Whitehall.

Duke of Newcastle to Governor Edward Trelawny of Jamaica, enclosing copy of complaint of French ambassador that Capt. Thomas Harris, at his departure from S. Servans in France in November 1736,

carried away a negro boy of twelve years and a half named John George Anthony and sold him to one Jones at Wanstead in Essex. The king directs that enquiry be made for the boy who is said to have been put on a ship for Jamaica. *Entry. 1 p. Enclosed,*

333. i. Memorial alleging the facts given in covering letter, and claiming the return of the mulatto, the condemnation of Thomas Harris and damages proportionate to the prejudice to the boy's education. Capt. Harris lives at Helford Comb, Devonshire, where his wife has a small shop. *French. Entry. 1½ pp.*

333. ii. Report by Nicholas Paxton, H.M.'s solicitor in criminal matters, to Duke of Newcastle. The boy is stated to have gone on *Industry*, Capt. Clarke, for

Jamaica. Directions have been sent for him to be delivered to the attorney-general there. *Entry*. 1½ pp. [C.O. 324, 37, pp. 113-116; draft of covering letter in C.O. 137, 56, fos. 109-110d.]

**334** Benjamin Martyn to Andrew Stone enclosing the following. *Signed*.  
July 12. 1 small p. *Enclosed*,  
Georgia Office.

334. i. 3 July 1738, *Blandford* at Plymouth; James Oglethorpe to Trustees for Georgia. Though the wind was contrary we beat up from St. Helen's with the tides of ebb but were obliged to anchor every flood in the open sea. The masters of the transports cannot hold out with such severe service so we are forced to put into Plymouth. The men-of-war bound for Newfoundland are also obliged to put in here. We hope for easterly and northerly winds and shall set out with the first. I am very impatient to be in Georgia considering the present situation of affairs. Our people are all healthy and of out near 700 there has but one person died since they left Dunstable. We have discovered that one of our soldiers hath been in Spanish service and that he has strove to seduce several men to desert with him to them on his arrival in Georgia. He designed also to have murdered the officers or such persons as could have money and to have carried off their plunder. Two of the gang have confessed and accused him but we cannot yet discover the rest. The fellow has plenty of money and he said that he was to have had 60 or 100 crowns according to the number of men he carried off; he is yet very obstinate, refusing to give any account of his correspondents. We shall not try him till we come to Georgia because we hope we shall make more discovery. *Copy*. 1½ small pp. [C.O. 5, 654, fos. 160-163d; entry of covering letter in C.O. 5, 667, fo. 74.]

**335** Minutes of meeting of Trustees for Georgia. Received receipt from  
July 12. Bank for 8,000*l.* paid in by the accountant. Read Gen. Oglethorpe's  
Palace Court. letter on board *Blandford* at Plymouth, 3 July 1738; ordered copy to be sent to Andrew Stone for Duke of Newcastle. Read authority to Rev. William Norris to perform religious offices in Georgia; sealed the same, secretary to countersign. 1½ pp. [C.O. 5, 687, pp. 87-88.]

**336** Appointment by Trustees for Georgia of Rev. William Norris to  
July 12. perform religious and ecclesiastical offices in Georgia in succession to Rev. John Wesley whose authority is hereby revoked. *Entry*. *Signatory*, Benjamin Martyn. 1 p. [C.O. 5, 670, p. 367.]

**337** Petition of Samuel Wragg of London, merchant, agent for Assembly  
[July 12.] of North Carolina, to Council of Trade and Plantations. Understanding that the questions of titles and rents of lands in North Carolina have been again taken up, petitioner asks for copies of any orders, representations and directions made or to be made. *Signed*. 1½ pp. *Endorsed*, Recd., Read 12 July 1738. [C.O. 5, 295, fos. 132-133d.]

**338** Council of Trade and Plantations to Duke of Newcastle enclosing  
July 13. draft of general instructions and of those relating to the Acts of Trade  
Whitehall. for Samuel Horsey, governor of South Carolina, together with representation thereon. *Entry*. *Signatories*, James Brudenell, Monson, R. Plumer, M. Bladen. 1 p. *Enclosed*,

338. i. Same to the King, 13 July 1738. We have made no alteration in the general instructions to Governor Horsey excepting in the following articles save



that we have transposed some of them in order to bring all that are relative to the same subject together. The purport of the 20th article of the late governor's instructions was to allow the assembly to divert certain funds from the first appropriation for seven years for the encouraging and settling newcomers into the province, and that instruction having been complied with we have now omitted it. An Act having been passed for the purposes mentioned in the 21st instruction to Col. Johnson for the emitting of paper money we have thought fit to omit the said instruction although we have some objections to the Act as may appear by our representation of 6th inst. In the 43rd article to Governor Johnson relating to the settling in new townships for securing the frontiers of the province, two of them were directed to be settled on the River Alatomaha but the said river being now included in the province of Georgia they are omitted in this article and the number of townships reduced to nine. We have added the 84th article to make these instructions agreeable to the commissions given by you to Col. Oglethorpe and to Col. Horsey. The 106th article to Governor Johnson about re-establishing a fort on the Alatomaha river is omitted because the said river is now included in Georgia. The 108th article in these instructions is framed agreeable to three several additional instructions given by you to the late governor and lieut.-governor of this province in relation to the settlement of a township by Col. Purry which we have inserted in pursuance of an order of the Committee of Council of 27 May last. The draft of instructions relating to the Acts of Trade are the same as you have already approved to other governors in America. *Entry. Signatories*, as covering letter. 5 pp. [C.O. 5, 401, pp. 291-296; draft in C.O. 5, 381, fos. 286-289d.]

339

July 13.  
Whitehall.

Same to Committee of Privy Council. Pursuant to your order of 4 February 1736/7 we have considered the petition of the merchants of London trading to South Carolina against the Act passed in South

Carolina in May 1736<sup>1</sup> for emitting 210,000*l.* in paper bills of credit. [*Report as in* No. 330] *Entry. Signatories*, James Brudenell, Monson, R. Plumer, M. Bladen. 5½ pp. [C.O. 5, 401, pp. 285-290; draft in C.O. 5, 381, fos. 290-293d.]

340

July 14.

Samuel Wragg to Duke of Newcastle. The late lieut.-governor of South Carolina being dead since your signifying to him 11 October last the agreement for my receiving from the province of South Carolina 450*l.* for the charge of the victualling the German passengers and the detention of the ship *Three Sisters* at Cowes (though it amounted to a much larger sum) and 5*l.* 5*s.* per head for the freight of so many of the said Germans as should be landed at Charleston out of the fund appropriated for the encouragement of poor Protestant families to settle there, I beg your signifying the said agreement to Samuel Horsey, appointed governor of the said province to whom Gen. Oglethorpe has communicated the same, that he may be duly authorized thereby in directing the same to the council and assembly pursuant to the intent thereof. *Signed.* 1 small p. [C.O. 5, 388, fos. 179-180d.]

341

July 14.  
London.

James Pearce to Harman Verelst. By yesterday's post from Cowes I received a letter from Richard Hill of Charleston of 9th ult. which I hope will prove of great advantage to our American settlements especially to Georgia and Carolina; and as this gentleman is a man of sense and veracity you may inform the Trustees thereof. He says as under:

<sup>1</sup>1735' in MS

There has happened an affair very lately which may be of great moment and very fortunate to this province if rightly managed. For the Choctaw Indians, a very powerful nation inhabiting on the Mississippi River and entirely in the French interest, have made peace with the Chickesaws, who are our allies, who have prevailed on the former to send an embassy to our government to desire our trade, acknowledging that the French cannot supply them as we do our allies and that they are now convinced that the French kept them at variance and war with their neighbours purely to weaken them all and then to make their advantage of it. These people, they say, have 10,000 fighting men settled in near 50 towns and live about 900 miles distance from hence. If we can fix them in our interest it will prodigiously enlarge our Indian trade and weaken the French in such a manner that we shall have little to fear from them.

I shall be glad of a confirmation of this news, not doubting but that our legislature will be glad of this opportunity to secure our frontiers against our encroaching neighbours. *Signed.* 1½ pp. [C.O. 5, 640, fos. 136-137d.]

342

July 15.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Rev. William Norris laid before the Trustees his deeds of ordination and declaration thereupon. ½ p. [C.O. 5, 687, p. 89.]

343

July 17.  
Palace Court.

Minutes of Common Council of Georgia. Resolved that 20*l.* be advanced to Rev. Mr. Norris for clothing etc. and that his passage in the cabin of Capt. Thomson's ship with charge for refreshments be paid. A proposal was made for sending over to Georgia the wife and children of Marcus, a Jew, at present in the colony. Resolved that as Marcus went to Georgia at his own expense the Trustees cannot charge themselves with the expense of sending them. Resolved that the certified accounts which were ordered on 8 February last to carry an interest of 4 per cent. and which will be due on 8 August next be paid. Resolved that any five of the council be empowered to draw on the Bank for 2,272*l.* 0*s.* 8*d.* for payment of said accounts with interest and one certified account of 65*l.* 10*s.* 5*d.* dated before Mr. Stephens's arrival in Georgia.

The council considering that the several certified accounts sent over to England have been so sent by way of remittances to merchants on credit of the Trustees' store-keeper having received the value and that the Trustees may be liable to many suits and expenses and the credit and future support of the colony be greatly hurt by not paying the said accounts which must at last be paid if no fraud shall appear to the contrary; resolved that the 4,209*l.* 13*s.* 9*d.* due on the remaining certified accounts be paid, and that any five of the council be empowered to determine which of them shall require a security to be given to the Trustees against frauds or double payments and be also empowered to draw on the Bank for payment thereof.

Resolved that surveying instruments be purchased for Mr. Auspurger. Resolved that 1,000*l.* be paid to Ald. Heathcote on account. An account stated in favour of Thomas Jenys and Mrs. Elizabeth Jenys, executor and executrix of late Paul Jenys, and certified by Mr. Causton was laid before the board. Ordered that the accountant attend the merchants who are the owners of the said account with an offer of the balance which appears due and write to Mr. Jenys and Mr. Causton and state the account as it stands. Signed draft on Bank for 1,000*l.* payable to Ald. Heathcote. 3 pp. [C.O. 5, 690, pp. 177-179.]

344

July 17.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Read instructions to Rev. William Norris; sealed the same, secretary to countersign. ½ p. [C.O. 5, 687, p. 90.]



345

July 17.

Instructions by Trustees for Georgia to Rev. William Norris. You are to correspond with the Trustees by every opportunity; and keep a register of births, christenings and burials and send an account thereof. Send also an account of the number of monthly communicants and whether the people are regular in attendance on divine worship. Promote a spirit of peace and recommend to the people industry, sobriety, a due submission to the magistracy and constant attendance at the worship of God. *Entry.*  $\frac{3}{4}$  p. [C.O. 5, 670, p. 368.]

346

July 18.

*Blandford at  
Madeira.*

James Oglethorpe to Duke of Newcastle. We left Plymouth on 5 July and after a very fine passage saw Porto Santo on 17th at 5 o'clock in the morning, which is an island with high hills and rocks belonging to the Portuguese and ten leagues from Madeira. Not long after, we saw the high hills of Madeira above the clouds. We came in this day with the *Hector* and the five transports. There has been the greatest care taken of the troops on board and though they are much crowded yet we have lost (God be praised) but one man and one woman who died at sea. *Signed.* 1 p. *Endorsed,* Recd. 15 August. [C.O. 5, 654, fos. 164-165d; duplicate dated 19 July at fos. 166-167d.]

347

July 19.

*Antigua.*

Governor William Mathew to Alured Popple. I have delivered to Capt. Oliver a box containing duplicates of the Antigua Acts sent you by Capt. Manesty when I wrote mine of 21 June, and with these the duplicate of the Montserrat Act for repairing Plymouth fort, and the duplicate of the last Tax Act for Nevis; and I have desired him to see to this box being safe delivered to you. I send also the minutes of the assembly of Antigua for three years past to 1 June 1738 and which I got at last by stopping a long arrear of salary due to the clerk. [*Note in another hand:* These minutes and the other papers abovementioned were not recd. 23 October 1738.] As there is an opposition threatened to the Antigua Act for reducing interest, instructions are sending from both houses to Mr. Yeamans to support the bill. *Signed.*  $1\frac{1}{2}$  small pp. *Endorsed,* Recd. 25 September, Read 25 October 1738; minutes recd. 31 October 1738. [C.O. 152, 23, fos. 161, 161d, 164, 164d.]

348

July 19.

*Jamaica.*

Governor Edward Trelawny to Duke of Newcastle. In obedience to my additional instruction from H.M. relating to a complaint made to H.M. by several traders to this island and others in behalf of the Jews, inhabitants thereof, I have made the best enquiry I could into that matter and for my better information I have desired the sentiments of the gentlemen of the council about it. From one of them, Mr. Mill, I had the letter hereunto annexed, and from another gentleman some reasons concerning the affair which I likewise send you. Both put together seem to contain the substance of all I can yet learn upon that head. I gave a copy of my instruction to the speaker, William Nedham, desiring him to communicate it to the assembly either in a public manner or to each of them in particular as he should think most proper. He chose to take the latter way, fearing otherwise it might produce inflaming debates if imparted to them in a body, without any prospect of good. Nor did they in the least relish it in private; and indeed by what I can observe of the assembly I think they will as they have every year hitherto done again insert in their next bill for raising additional subsistence paid by this country to H.M.'s troops a clause to tax the Jews. This will lay me under great difficulties in case I do not before that time receive H.M.'s orders leaving me at liberty to do as shall be found most expedient for his service. I must beg leave to make use of some words in a letter about this very affair from Sir William Beeston, Governor of Jamaica, which was laid before the council here

on 2 May 1700 in order to be sent to the Lords of Trade. It ends thus: "Nor is it in the power of the governor and council to contradict them (meaning the assembly) in raising of money which they will do as they please or not at all though never so great occasion or necessity for it". This prudential reason prevailed then, and I hope it will now have the same weight especially as the assembly is very dutifully inclined to H.M. and the royal family and is under no small difficulties of raising the necessary supplies. If they are debarred from using their own discretion in this matter of which they think themselves proper judges and in which none of them can be supposed to be swayed by so inconsiderable a trifle as each of them may save by this taxation of the Jews, I am afraid they will not only be extremely disgusted themselves but likewise spread their discontent through the island by imposing new taxes which seldom fail of causing complaints. I submit it to your prudence whether this affair is of importance enough to risk the bringing of us into this situation with respect to one another, and how much by that means public business may be obstructed. *Copy. 3½ pp. Enclosed,*

348. i. Richard Mill to Governor Trelawny; Jamaica, 14 July 1738. Having perused the Jews' petition I beg leave to observe: first, that the preamble may be right. Why the Jews are charged with underhand dealing with the Spaniards I know not; I have heard it was from an information of a vessel fitted out by the Jews to the South Cays, who acquainted the Spaniards that another vessel, fitted out by Christians and which had been there just before and promised to return, was not capable of so doing. The Jews in Jamaica are exempted from all juries; attendance at grand court costs ten to twenty pounds, more I believe than the richest Jews were ever taxed in a year. All the honourable offices are disposed of in England except the places of captain of the fort and chief justice, neither of which I suppose they would think themselves capable of. As to other military posts they would not desire to accept them. They bear few of the charges of government, apart from the duty on negroes exported or imported borne equally with others. They do not import or consume liquors from which the main branch of the revenue arises. They import small quantities of cocoa and indigo from Hispaniola, the greatest part of which I believe they run. I never heard of a Jew distrained on for his taxes. I believe there never were above five or six Jews owners of sugar-plantations. As to what relates to their serving for a deficiency, although they have stood for one for several years last past, I think it is wrong; for all hired or indentured Christian servants are liable to be carried out upon parties on any insurrection or disturbance, which they have been wholly exempted from except in the time of martial law where everyone was obliged to go in person, and even then they were excused upon hiring a man to go in their room. *Copy. 4½ pp.*

348. ii. Reasons relating to the Jews, 1738. The Jews in Jamaica have free public profession of their religion and liberty of purchasing freehold. They do not serve on juries, which they may say is a privilege lost but which frees them from great expenses of money and time. They are dispensed with being under arms on their sabbath, though those of our religion have to serve on our sabbath. They do not pay much towards the common taxes; they are concerned in no shipping, they import no commodities but dry goods not liable to duty, they pay some duty on negroes exported but frequently avoid duty on the indigo which they import. They bear a very small proportion of taxes as planters, not being concerned in more than five or six sugar-works. Their way of business is chiefly in disposing of dry goods and in keeping of shops, in retailing out spirituous liquors and provisions to the negroes with whom they traffic for commodities often stolen from their masters. They have even lain under great suspicions of selling powder to the negroes, by which means



the rebels have been supplied. But as the testimony of negroes is not allowed as evidence it is not easy to convict them. They complain they have been wrongfully accused of corresponding with our neighbours to our disadvantage; that indeed has been charged upon them in some of our laws but of late years left out, and there is great reason to believe at the time they were so charged there were grounds for the same. It is not to be presumed they would have been accused by the whole legislature without some foundation. They complain they have not been allowed to serve as deficiencies upon estates: it is true they were for two or three years deprived of that liberty, but that objection has of late years been removed and they now serve for the same. There are few places of profit to be granted in this country, being in general held by patent in England. As to places of honour they have no profits annexed to them and therefore it may be believed they are glad to be excused from them; and if they were not it would be unreasonable to give them command over the persons of Christians. *Copy.* 4¼ *pp.* [C.O. 137, 56, *fos.* 111-119d.]

349

July 20.

Francis Fane to Council of Trade and Plantations. The Act passed in

New York for frequent elections of representatives to serve in the general assembly enacts that the assembly shall be held once a year at least at New York unless the governor and council appoint another place, that in six months after the dissolution of an assembly writs are to be issued for a new one, that every future assembly continue for three years only, and that the present assembly be determined on 15 June 1739 unless the governor dissolves it sooner. I think this Act is a very high infringement upon the prerogative of the crown, for it takes away that undoubted right which the crown has always exercised of calling and continuing the assembly of this colony at such times and for so long as it thought necessary. When such a material innovation is attempted there ought to be some very strong and cogent reason to induce you to assent to it; for my part I have heard none and am of opinion that it ought to be repealed. *Signed.* 1½ *pp.* *Endorsed,* Recd. 1 August, Read 2 August 1738. [C.O. 5, 1059, *fos.* 63, 63d, 66, 66d.]

350

July 20.

Kensington.

Order of King in Council that the governor of the Leeward Islands

shall not give his assent to an Act to attain of high treason Benjamin Johnson and William *alias* Billy Johnson, and that the said persons be restored to the same condition they would have been in if the said bill had never been brought in and passed. *Copy,* certified by James Vernon. 2¼ *pp.* *Endorsed,* Recd. 8 May, Read 8 June 1739. [C.O. 152, 23, *fos.* 212-213d.]

351

July 20.

Kensington.

Same, on report from Committee for Plantation Affairs dated 27 May

last, that George Clarke, junior, be a member of the council of New York, in the room of Francis Harrison, resigned. *Copy,* certified by James Vernon. 1½ *pp.* *Endorsed,* Recd. 8 May, Read 8 June 1739. [C.O. 5, 1059, *fos.* 82, 82d, 87, 87d.]

352

July 20.

Kensington.

Same, appointing Mathew Mills, junior, to be a member of the council of St. Christopher's in the room of Edward Mann, resigned. *Copy,* certified by James Vernon. 1½ *pp.* *Endorsed,* Recd. 8 May, Read 8 June

1739. [C.O. 152, 23, *fos.* 211, 211d, 214, 214d.]

- 353**  
July 20.  
Kensington. Same, approving draft commission for Samuel Horsey to be governor of South Carolina with alteration proposed by Committee of Council for Plantation Affairs. [See *A.P.C.*, Colonial Series, 1720-45, pp. 606-7.] *Signed*, W. Sharpe. *Seal*. 2½ pp. *Enclosed*,  
353. i. Commission for Samuel Horsey to be governor of South Carolina. *Draft*. 16 pp. [C.O. 5, 197, fos. 143-154d; copy of order, endorsed Recd. 8 May, Read 8 June 1739, in C.O. 5, 367, fos. 19-20d.]
- 354**  
July 20.  
Kensington. Same, approving draft instructions for Lewis Morris, governor of New Jersey. The Lords of the Committee had no objection to the report of the Council of Trade and Plantations [see No. 150. i.] except to add the name of James Alexander to the list of councillors, he having been on the old list, and to omit the name of Thomas Farmer. *Signed*, W. Sharpe. *Seal*. 3 pp. *Enclosed*,  
354. i. General instructions for Governor Lewis Morris. *Draft*. 50 pp.  
354. ii. Instructions for the same relating to trade and navigation. *Draft*. 35 pp. [C.O. 5, 197, fos. 94-142d; copy of order, endorsed Recd. 8 May, Read 8 June 1739, in C.O. 5, 973, fos. 112-113d.]
- 355**  
July 20.  
Kensington. Same, directing the survey of 200,000 acres of land between Santee and Watree rivers in South Carolina for John Cartwright and associates to settle 1000 Protestants in ten years at a quitrent of 4s. proclamation money for 100 acres to begin at the expiry of ten years and with certain mineral rights. Grants of lands not settled in ten years in the proportion of one white for 200 acres to be void. *Copy*, certified by James Vernon. 2½ pp. *Endorsed*, Recd. 8 May, Read 8 June 1739. [C.O. 5, 367, fos. 13-14d.]
- 356**  
July 20.  
Kensington. Same, approving draft of article to be inserted in instructions for the governor of South Carolina directing him to recommend to the council and assembly to prepare an Act to settle the Indian trade to the mutual satisfaction and benefit of South Carolina and Georgia. *Copy*, certified by James Vernon. 1 p. *Endorsed*, Recd. 8 May, Read 8 June 1739. [C.O. 5, 367, fos. 15-16d.]
- 357**  
July 20.  
Kensington. Same, approving draft of instruction for Trustees for Georgia to same effect as No. 356. *Copy*, certified by James Vernon. 1¼ pp. *Endorsed*, Recd. 8 May, Read 8 June 1739. [C.O. 5, 367, fos. 17-18d.]
- 358**  
July 20.  
Kensington. Same, on representation from Council of Trade and Plantations that John Rindge be appointed a member of council of New Hampshire in the room of Benjamin Gamlin, deceased. *Copy*, certified by James Vernon. 2 pp. *Endorsed*, Recd. 8 May, Read 8 June 1739. [C.O. 5, 881, fos. 85-86d.]
- 359**  
July 20.  
Charleston. President William Bull to Council of Trade and Plantations. I beg leave to lay before you a short account of an affair which I apprehend to be of great consequence and advantage to H.M.'s service in these frontier parts of his dominions. The nation of Chactaw Indians, who live on the north-east side of the Mississippi near the mouth, consists of 46 towns in which according to the best information are contained above 16,000 men, which far exceeds the number of all the other tribes of Indians in amity with this government. They have hitherto been in the interest of the French, but have lately sent several messengers to this government to propose and desire a friendship and commerce with the English. The first messengers



arrived here about the end of May last, and after they had delivered their message which seemed to import so great advantages to H.M.'s subjects on this part of America nothing was omitted which might inspire them with notions of H.M.'s grandeur and power and the plenty of goods which they might expect among them while they continued in friendship with the English. In their conferences they expressed great satisfaction to find by their reception and entertainment that the English were so different from what they were represented to be by the French, which they said their nation would now be sensible of by the presents that were given them with which they went away well satisfied. Soon after their departure arrived other messengers on the same errand but from a different part of the nation; these were treated in the same manner as the former. In their conference they took notice that several of their headmen were still in the interest of the French, who opposed their having any commerce with the English, and therefore it was necessary when they got home for some of them to come and visit this government also, that they might likewise be convinced how much it would be for the benefit of their nation to be at peace and have a trade with the English.

If a peace and commerce can be effected and maintained with the whole Chactaw nation, how great an addition of strength H.M.'s subjects will have to withstand their enemies as well as the enlarging and extending of the trade for skins and furs which may in a little time require double the quantity of British goods, such as duffels, strouds, broadcloth, guns, powder, bullets, etc. to supply that numerous people. And besides these advantages, in case of a war with the French, they can have no assistance from the Chactaws against the English on whom they must depend for a supply of all necessities; and in all probability the Chactaws on the southern frontier will be of much more service to H.M. than the Senecas on the northern, because the French at Canada have tribes of Indians which may set them nearly upon a par with the English and Senecas. But the French at Mobile and near the Mississippi river have no other Indians but the Chactaws whom they could make use of against the English and the Indians in amity with them. As for the Indians called the Bluemouths who live to the westward of the Mississippi, they are in amity with the Chactaws and will be influenced by them, and it is likely will follow their example; but if not, they are so remote that at present we can apprehend no danger from them.

You will immediately observe that the Chactaws by their situation, if they are gained from the French, will be able to cut off all communications between Canada and Louisiana. But as an affair of such importance will be attended with considerable expenses and other difficulties to be provided against, especially as many of the Chactaws are yet inclined to the French who will if possible prevent the success of this undertaking, I beg you to signify your opinion and directions for our conduct in this affair and whether upon an application to H.M. a bounty might be obtained for the Chactaws as is allowed yearly to the Senecas. You will please to consider that besides such an assistance from H.M., this province must be at considerable expenses on every visit from the leading men of the Chactaws and other nations, which will be often necessary and therefore not to be avoided, though very burdensome to the people of this province who have suffered for several years past by the great droughts, and besides the expenses occasioned by our preparations to withstand the expected invasions of the Spaniards which this province and the colony of Georgia have been alarmed with these two last years, and to which we shall always be exposed while the French can have any influence over the Chactaws which may likewise be extended to the Cherokees who are at peace with the Chactaws.

I hope you will consider that this affair of uniting so numerous a people as the Chactaws to the English interest may be a principal means of securing the peace and

safety of all H.M.'s dominions in North America and of disappointing a scheme which the French for many years have been endeavouring to carry into execution, vizt. to settle a communication from Canada to the mouth of the Mississippi, to destroy or subdue all the Indians in friendship with the English, and by that means with their Indians to carry an easy war into all the settlements of the English along the seacoast. The dependence the French had of securing the interest of the Chactaws made the execution of this design appear feasible, and they had already made a great progress. But if this government should be so fortunate as to give matters a different turn and effectually secure the Chactaws, I flatter myself you will be of opinion that an undertaking which will produce so general a good to all North America ought not to be carried on at the sole expense of a small colony, exposed on the frontiers and thinnest of inhabitants though more burthened with taxes than any on the continent. If H.M. on your representation should take the matter under consideration and the Chactaw Indians should feel the effects of his royal bounty, we should have no reason to doubt but that all our hopes and expectations would be answered and that H.M.'s subjects in Great Britain as well as America would reap the advantages that must necessarily attend so useful an undertaking. *Signed.* 4½ pp. *Endorsed,* Recd. from Mr. Fury 27 September, Read 3 October 1738. [C.O. 5, 366, fos. 120-122d; copy, endorsed Delivered to Mr. Vernon by Mr. Fury, 6 November 1738, in C.O. 5, 640, fos. 148-149d.]

360

July 20.  
Charleston.

President William Bull to Duke of Newcastle. [*In substance same as* No. 359]. *Signed.* 4½ pp. *Endorsed,* Recd. 3 October. [C.O. 5, 388, fos. 181-184d.]

361

July 22.  
Kensington.

Royal warrant to Governor Jonathan Belcher to admit John Rindge, appointed Councillor of New Hampshire in the room of Benjamin Gamlin, deceased. *Entry.* ½ p. [C.O. 324, 37, p. 116.]

362

July 22.  
Kensington.

Same to Governor William Mathew to admit Matthew Mills, appointed Councillor of St. Christopher's in the room of Edward Mann, resigned. *Entry.* 1 p. [C.O. 324, 37, p. 117.]

363

July 22.  
Kensington.

Same to Governor Lord Delawarr to admit George Clarke, jnr., appointed Councillor of New York in the room of Francis Harrison, resigned. *Entry.* 1 p. [C.O. 324, 37, p. 118.]

364

July 24.

Francis Wilks to Thomas Hill. Enclosed is state of the funds in New England as I had account some years ago from the secretary: what bills have been issued more than is therein contained I apprehend has been for the current service of the year and brought in within the time. *Signed.* 1 p. *Endorsed,* Recd., Read, 26 July 1738. *Enclosed,*

364. i. Boston, 20 December 1732. Account of bills of credit issued between 1721 and 1731 by order of general assemblies of Massachusetts which are to be brought into the public treasury by the land tax and other revenues from 1732 to 1741. Total issued: 176,200*l.* *Copy. Signatory.* J. Willard, secretary. 1 p. [C.O. 5, 881, fos. 3-4d, 7-8d.]

365

July 25.  
Whitehall.

Council of Trade and Plantations to the King. We have consulted the Attorney- and Solicitor-General who are of opinion that, if you approve of the erecting of a court of Exchequer in South Carolina, it



may be proper that your governor now going over may be authorized by a special commission to establish the same and constitute a chief baron with other proper officers for the said court and that the proceedings therein should be agreeable to the practice here. All which being in our opinion necessary for your service and for the good of the province we propose that such a commission should be issued accordingly. *Entry. Signatories*, Monson, M. Bladen, James Brudenell, R. Plumer. 1½ pp. [C.O. 5, 401, pp. 297-298; draft in C.O. 5, 381, fos. 296-297d.]

366

July 25.  
Whitehall.

Same to Committee of Privy Council. Pursuant to your order of 19 May last we have considered President Bull's letter. [No. 220. i.] We have on this occasion had some discourse with Col. Horsey and with

Mr. Fury and are informed by them that the people there have been at a great expense in erecting several new batteries and forts and putting themselves in a proper posture of defence, but that they are not in a condition at present to provide themselves with a sufficient supply of great stores and smallarms. Whereupon considering the importance of this province and the present posture of affairs in America, although from information laid before us we are not capable of determining what quantity and species may be requisite for this service, we are nevertheless of opinion that H.M. may grant them such supplies as he shall think convenient. *Entry. Signatories*, Monson, M. Bladen, R. Plumer. 2 pp. [C.O. 5, 401, pp. 298-300; draft in C.O. 5, 381, fos. 294-295d.]

367

July 25.  
Jamaica.

J. Jones to Duke of Newcastle, petitioning for a lieutenant's commission in one of the independent companies at Jamaica. *Signed*. 1 p. [C.O. 137, 56, fos. 120-121d.]

368

July 25.  
Savannah.

William Stephens to Trustees for Georgia, referring to previous letter of 27 May. I now send duplicate of that letter as also continuation of my journal to this time, which indeed is extended further than ordinary

by reason of the rareness of ships sailing from Charleston for England at this season; and I fear from henceforward we shall scarce hear of any more going yet awhile. So my correspondent writes me, to whose care I send this thither upon notice that there was one near ready to sail now.

It has been an inward pleasure to me when in some of my last letters I have represented the people of this colony in general as lately come to such a way of thinking and good disposition (setting aside some few who I fear will never do themselves or others any good) that it was apparent a much greater quantity of land was improved this year than ever yet had been: all which I cannot but adhere to for a truth, and from thence I was willing to form such conjectures as might be expected from a good harvest towards our future maintenance. But whilst we were thus elated providence has been pleased to check our expectations and teach us to think it well if we can secure half that abundance in a crop which we had eagerly conceived, and which is very grievous to me now to write of. For this great disappointment it will doubtless be expected some cause should be assigned and that alas! is too evident, namely such a long continued drought as it is said the like has not been known in man's memory; for they carry it as far back as the last summer which felt it towards the latter end. From the time that I came in October I must say that very little rain fell all the winter insomuch that the springs gave off in many places before summer came again. Nevertheless the corn that was planted came up pretty promising, making a good appearance for a while till the heats which began early this year parched the earth to that degree that abundance for want of moisture to cool the root dried up and withered. Another misfortune attending us was want of good

and proper seed for not having a sufficient quantity of what they call the Virginia corn which is large, broad and white, and usually proves well here. There was a parcel of yellow skinned corn bought, highly commended for its usual increase in the northern provinces; but it was too fatally experienced that it proved very different here where the soil is not of so cool a nature as where it grew before. Abundance of this therefore will come to little and they who had the good luck to plant most white corn will fare best: that having held it tolerably well in all the heat. And now for some time we have had fine and frequent refreshing rains, more than for a year past put all together, which the River Savannah plainly discovered, hardly affording water enough to make it passable for the Indian trading rowboats to go to Augusta or New Windsor.

Were others' misfortunes an alleviation of ours (which was a heathen but devilish maxim) Carolina makes the same complaint, and more, of the drought, which has so affected their plantations of corn and rice that a public fast was lately observed in that province by order of the president and council, wherein they were to deprecate the divine wrath to avert a famine and to spare them under the mortality which rages among them in the smallpox. Amidst so common a calamity we have some settlements nevertheless which appear such as the occupiers have no reason to complain of and which I have put together in short lists that will show whom they belong to. To make mention of those now who have made no attempt or but little progress in cultivating and planting I conceive would be needless since I intend not one of them shall pass without proper notice when I have fully perfected the whole, which I think may be confident will be in my next, being now busied among the 5 and the 45 acre lots belonging to the town, and with those I purpose to conclude all. But it is a melancholy story I have yet to add from Frederica, where I am informed that their labour is almost wholly lost by their crop being cut off; and at Darien, where we had great expectations of plenty, they are also by the same means in a great measure defeated. Whether this is to be attributed mostly to a bad season or bad seed is hard to say.

Could I gratify my own inclinations in writing something that would preponderate such a misfortune it would not go unobserved. But time yet to come must produce that which every good man hopes for, and it behoves me to follow truth whatever shape it appears in. If I may refer to my journal it will not be expected I should spin out a tedious bagatelle here, after having already noted every occurrence as it passed, too many of which I fear will be judged needless though others (as I conceive) may be thought worthy your consideration and your direction for the future. To find here a gaol so filled with criminals undoubtedly must look ill, and as I have minuted what I thought most remarkable in the proceedings of the court the last session, so I ought to leave it to the magistrates to lay the whole before you in proper form. God forbid such crimes should abound among us hereafter. It is to be hoped through Mr. Whitefield's endeavours offences of another nature also may abate and the several kinds of debauchery which too often have appeared barefaced among people of different ranks and gone impune may be exposed to shame and utterly discountenanced. I should do wrong not to say we have visibly a considerable number of such men as are inclined to work and take pains whilst it must be confessed there are also too many idle and lazy whom the colony will never be the better for. But even among our best workers a little reformation of manners will admit to be wished for and everything done that may conduce to promote it. And by the uncommon attention I have observed of late given to public devotion it may be hoped that good work is already begun from Mr. Whitefield's so daily gaining affections of the people. But the practice of open lewdness in first making whores of their female servants, then cohabiting with them and their bastards, from whence a continuation of the same course may be presumed, which is too common



among our gay gentry who are either of a different communion or above the vulgar way of frequenting our church, such public scandal I fear will outbrave all reproof from the pulpit and I apprehend would need some coercive power from the civil magistrate to restrain it in such manner as you shall advise. *Signed.* 3 small *pp.* *Endorsed,* Recd. 13 December 1738. [C.O. 5, 640, *fos.* 140-141d.]

369

July 25.  
Savannah.

William Stephens to Harman Verelst. I wrote to you on 27 May and 3 June. I enclose a letter to the Trustees, a continuation of my journal from 27 May to this day both inclusive, the several states of Old and New Ebenezer, Abercorn, Hampstead and Highgate, together with a short abstract of the number of acres planted in various plantations distinct from the township of Savannah as I lately found them. And in my next I hope to set this whole township in its true light with regard to their planting, when probably I shall make such observations thereon as I apprehend may be just whether it be in their favour or otherwise; but this being a work which with due inspection must take time, for which reason I would bestow such on it as was most proper and seasonable, I thought it would come most perfect and regularly last. Without doubt notice will be taken that Thunderbolt is not found among the lists of adjacent plantations, and sorry I am to write that the village, once the great exemplar of all improvements in these parts, is now in a manner become desolate. The division of those lands being among four, vizt. Mr. Lacey and his brother, Hetherington and Bishop, from the time of Mr. Lacey's command at Augusta his plantation here became wholly neglected, for which he alleged want of servants. His wife nevertheless continued upon those premises who, it is to be feared, will appear a most vile woman in many respects, and what course of life they all followed there (who stayed in the place) instead of cultivating land appears too plainly from the notes I took of the proceedings of the last court as they will be found in my journal and more at large (I must suppose) from the magistrates. And it is generally taken for truth that Hetherington's and Bishop's intent was to quit the place entirely after they had raised what money they could by sale of stolen goods, which might in a little time have produced a plentiful store especially if all prove true which is commonly now reported, that they had carried on a trade with some of the Carolinians for a while whom they supplied with barrell'd beef and pork which they took rum in exchange for, and by that means helped to furnish some of our unlicenced retailers of that forbidden liquor and to forward the destruction of the place. Whether these suggestions are well founded or not I cannot say; but they seem too probable, for it is evident that no people in these parts have lived in greater plenty without any visible fond to support it. And now after all, when convicted of felony on two indictments, besides several more that they have not yet been tried on, they have broken jail and are fled, together with that notorious fellow Wright who stood committed for want of finding bail for his future appearance to answer his behaviour among the Indian nations.

I would not let anything escape me, if I knew it, without taking some notice of it that ought properly to fall under my cognizance, especially when opportunities of writing fall out so seldom now and are likely to be more rare for some time coming. But I persuade myself paucity of words will not be laid to my charge, and it is well if the contrary does not condemn me, vizt. writing much to little purpose. It has not been my good fortune hitherto to be any way advertised after so many months in what light I stand with those whom I serve, and would gladly do it to good effect: let it appear as a mark of your friendship which I set so much value on to be informed by you in so material a point. After what you acquainted me in yours of 17 February concerning our general's appointed time of leaving England with the remainder of the regiment and of

our good friend Col. Horsey's appointment to be governor and lieut.-general of South Carolina, I must imagine they either are or will be both on their way into this part of the world before what I now write comes to hand; wherefore it would be vain to be writing letters of no import but compliments. The respect which I shall ever be ready to show and my zeal to render them what acceptable service lies in my power will best manifest my sincerity. We have not had a word of news from Europe since what came to Carolina by Capt. Keet in the beginning of May, and my correspondent there writes me the same, which is very surprising to everybody. *Signed*. P.S. 26 July. Just as I was sending off my letters Col. Cochran is this minute come to us from the south, who engages me to recommend it to you to prevail with the Trustees to send a ship in Sept. or Oct. pursuant to what I wrote them, at his instance, in mine of 27 May. 2 pp. *Annexed*, List of writers and addressees of letters enclosed in this packet.  $\frac{3}{4}$  p. *Endorsed*, Recd. 13 December 1738. [*C.O.* 5, 640, *fos.* 138-139d.]

370

July 25.  
Savannah.

Thomas Causton to Trustees for Georgia. I herewith transmit a continuation of my journal to 24 September last. As several parts of it relate to Mr. John Wesley I think it incumbent upon me to represent the general methods by him taken previous to the open differences therein mentioned. It was on 12 March 1736/7 that my niece was (with my consent) married at Purrysburgh to Mr. William Williamson. When it was known that such marriage was intended Mr. Wesley came to my house and discovered to my wife his desire of marrying her himself with expressions of much grief and in tears. And as he had not an opportunity of speaking to me he wrote to me as per enclosed copy<sup>1</sup>. After the marriage he appeared inconsolable, sometimes wanting to see her, at other times he promised he would never see her, and in this manner at several times addressed himself both to Mr. Williamson and me and never failed to assure each of us of the strictest love and friendship, generally with this conclusion 'It is the Lord's will and I will submit to it'. As I had preserved a steady regard for a mutual friendship with Mr. Wesley I am certain nothing was wanting on my part to demonstrate it. Therefore when or on what occasion it was that he first resolved to act otherwise he best can tell. So much as appeared openly to me is notified in my journal and I can't help saying that for some time before, and ever after, his refusal of the sacrament of the Lord's Supper to my niece, his expressions seemed doubtful and his actions showed a resolution to join with and be an advocate for every discontented person he met with, the facts of which will be self-evident.

As to the prosecution begun against him (though just in itself) I did my endeavour for the sake of his holy function and religion in general that it might have been before you only; and I am apt to believe should have prevailed if his pretended friends had not spurred him so far as to publish many pretended reasons for what he had done and in general gave out he had your authority for it and in others insinuated that my niece had been guilty of something very notorious which in due time he would make appear. As the complaints concerning Mr. Wesley's behaviour had been many and obviously just, with great submission to you, it would not have been consistent with my duty as a magistrate to hear and see such novelties introduced, such powers set up, such actions done and designs carried on, having such fatal tendencies, without endeavouring to stop them, upon application made. Therefore (having first duly taken examinations upon oath) indictments were drawn and laid before a grand jury, which being returned by them as true bills and the people having thereby an opportunity of showing their resentment for the facts therein mentioned, I obtained an order of court to stay all

<sup>1</sup>Not found.



prosecutions against Mr. Wesley either concerning said indictments or action brought by Mr. Williamson till you should be acquainted with it and your pleasure known in the matter.

It was now natural to suppose that Mr. Wesley (seeing himself thus attacked) would endeavour at any rate to trouble the waters that he might glide with less observance. As the grand jury was very numerous it could not be supposed but some of them had private discontents, but it was almost past supposition that any set of men bred up in a full enjoyment of goods, laws and liberties could entertain the opinions they seemed (by their resolution) to have imbibed. They had resolved that it was the just privilege of a grand jury to swear as well as examine witnesses and to send (by their own authority) for persons, papers and records; also that the declaration or complaint of a grand jurymen was (as such only) sufficient evidence and binding upon the rest to charge any man; also that they had power to adjourn themselves from time to time (as they thought fit) and to sit till they should resolve there was no more business before them. As during these debates they had gathered that the magistrates would soon break up their sitting, they dispatched William Aglionby to Charleston (a pretended lawyer) with the queries as mentioned in my journal. Mr. Wesley was so far visibly interested in these debates that it was moved not to return the bills against him till they had gone through with the other business and Joseph Watson (whose case he had particularly espoused) was become a petitioner to the inquisition at Savannah, as he termed it.

Having said thus much concerning Mr. Wesley's behaviour, it is necessary I should relate another observation I have since made on his expressions in some of our former discourses, when he told me that he had been informed by several people in town (to the following purport) that he was sent into the colony and had instructions to enforce some particular designs of the Trustees which they (the Trustees) were apprehensive would be disagreeable to the people and that he was to represent to them all such who acted contrary or opposed his measures. This he expressed as if (in such a situation) they who informed him of it imagined him to be a tool. To this I must add what a gentleman told me, when the grand jury was sitting on said Mr. Wesley's affairs, with a desire to be nameless till he could have an opportunity of speaking to Mr. Oglethorpe himself, vizt. that Mr. Bromfield and Patrick McKay came to him (as he apprehended to sound his thoughts) when they had some discourse of Mr. Watson's imprisonment and (concerning which) he the informant expressed his compassion; that Mr. Bromfield then said the true reason for Watson's imprisonment was too evident, for in his hearing said Watson on his first arrival in the colony asked Mr. Oglethorpe what laws he intended for the colony to which Mr. Oglethorpe (as he believed very inadvertently) answered such as the Trustees thought proper, what business had poor people to do with law (or words to that purpose); that Mr. Oglethorpe since apprehending it in Watson's power to testify what Mr. Oglethorpe had said and that such testimony would discover his arbitrary designs, therefore had taken the opportunity to continue Watson's imprisonment as a means to prevent such a plain discovery; and that he the said Mr. Bromfield verily believed the Wesleys were instructed by Mr. Oglethorpe to exercise the authority he had pretended to set up, the better to introduce a slavish obedience among the people.

I had given my promise to the gentleman who informed me of this (who till then and ever since has appeared to me to be a man of integrity) not to mention this in any shape. Therefore, then depending daily on Mr. Oglethorpe's arrival, I made no mention of it in my journal or otherwise. But as his desire for such secrecy could only arise from a fear of being discovered and prevented from doing other serviceable things, length of time has now taken off that danger and Mr. Wesley's journey to England and letters hither make it necessary. It is therefore easy to guess with what quarter Mr. Wesley concerned when he intimated that some people imagined him to be a tool.

I have frequently called upon the recorder to transmit the proceedings of the court etc. I hope they will soon be finished and transmitted, but though doubts may probably arise without them I could not prevail on myself to be particular in an affair wherein I am so much concerned. I am collecting the several improvements on the land to be transmitted with the general accounts.

By accounts from the southward all the cultivations of land there are rendered abortive for want of rain. This part of the province will fare much better and those who have been industrious and have not met with other disappointments will have a good crop. The long expectation of Gen. Oglethorpe's arrival being hitherto frustrated gives opportunity for disturbances to grow among the traders to the disquiet of the Indians. The government of Carolina are daily sending agents, messengers and traders into the several nations and the licenced traders from hence inform me that many come into each without any licence. Thomas Wright, against whom I had issued a warrant by command of Mr. Oglethorpe, was taken at Augusta and is now in gaol till evidence can come to prosecute him. The whole province is very happy as to its health and I wish for your orders to remedy the several matters laid before you as a means to make it happier, always hoping for the establishment of some power whereby uncertainties may be removed.

Agreeable to your accountant's letter of 17 February last I have expected to receive your orders for the expenses of the present year and should they not arrive before Michaelmas next it will be difficult for me to pacify Capt. Macpherson and many other people without disobeying your repeated commands. This I promise and trust you will never find me guilty of making or contracting wilfully any unnecessary expenses and that I will and shall be found to dispatch the public accounts with what speed I can, as also to go through the whole public business with that duty and integrity as becomes me. *Signed.* 7 small *pp.* *Endorsed,* Recd. 13 December 1738. [C.O. 5, 640, *fos.* 142-145*d.*]

371

July 26.  
Savannah.

Thomas Causton to Harman Verelst enclosing diary to 24 September 1737, duplicates of receipts to 24 June 1738, copies of issues of stores taken from the day book to 1 December 1737. I have taken an inventory of stores to 24 June last and would have sent it had not multiplicity of business prevented. The same reason must unavoidably be given for not sending the accounts as mentioned in my last letter. As no time here is lost, these and all other things needful shall be done with all possible dispatch. *Signed.*  $\frac{1}{2}$  *p.* *Endorsed,* Recd. 13 December 1738. [C.O. 5, 640, *fos.* 146-147*d.*]

372

July 26.  
Whitehall.

Council of Trade and Plantations to Governor Edward Trelawny. In answer to that part of your letter wherein you recommend to us three gentlemen to fill up the vacancies in the council in the room of those who have withdrawn, we must acquaint you that as Mr. Rose Fuller has been already sworn in by Mr. Gregory and is besides one to whom you have no objection we think it right he should be continued and shall accordingly recommend him; as we must likewise Mr. Matthias Philp whose interest has been so strongly supported here that we could not refuse him our recommendation; and we have some time since represented in favour of Mr. Edlin to succeed Mr. Garbrand. We by this means have it not in our power to oblige you in more than one of your nominations, Sir Simon Clarke, who stands first upon your list. At the same time we assure you we shall always have a proper regard for those whose names you shall transmit to us in order to be of the council, being desirous as well in this respect as in every other of convincing you of the esteem we have for you. *Entry.* *Signatories,* Monson, M. Bladen, James Brudenell, R. Plumer.



P.S. Your agent, Mr. Sharpe, who attended us on behalf of the three councillors proposed by you to fill up the present vacancies will give you a further account of that matter. We have this moment received your's of 26th May; but the papers therein mentioned are not yet come to hand. *Signatory*, Monson. P.P.S. Since the signing of this letter and postscript the box you mentioned with public papers has been brought to the office. *Signatory*, Thomas Hill.  $3\frac{1}{2}$  pp. [C.O. 138, 18, pp. 285-288.]

373

July 27.  
Whitehall.

Same to the King, recommending Rose Fuller, Sir Simon Clarke, Bart., and Mathias Philp to be councillors in Jamaica in the room of Edward Charlton, Henry Dawkins and William Gordon who, having withdrawn in President Gregory's time, now refuse to reaccept that office. *Entry*. *Signatories*, Monson, M. Bladen, James Brudenell, R. Plumer. 2 pp. [C.O. 138, 18, pp. 289-290.]

374

July 27.  
Whitehall.

Same to Duke of Newcastle. Having received from President Bull of South Carolina a representation of the present state of that province, together with several examinations, depositions and letters relating thereto, and likewise a large map of that country, we should have sent copies to you but are informed that you already have them. *Signed*, Monson, R. Plumer, James Brudenell, M. Bladen. 1 p. [C.O. 5, 384, fos. 40-43d; entry in C.O. 5, 401, pp. 300-1; draft in C.O. 5, 381, fo. 298, 298d.]

375

July 27.  
Whitehall.

Order of Committee of Council for Plantation Affairs, referring the following to Council of Trade and Plantations. *Signed*, W. Sharpe. *Seal*. 1 p. *Endorsed*, Recd. 19 August, Read 4 October 1738. *Enclosed*, 375. i. Petition of John Hammerton, Secretary and Register of South Carolina, to the King, for payment of money for fees due to himself and other officers for surveying and granting lands for the new townships. These officers agreed to compound their fees for an annual salary. Notwithstanding orders from the governor, the lower house of assembly forbade payment of these salaries. Prays for instructions to the governor for procuring payment. *Copy*.  $2\frac{1}{2}$  pp. [C.O. 5, 366, fos. 123-126d.]

376

July 27.  
Whitehall.

Same, referring the following to the Council of Trade and Plantations. *Signed*, W. Sharpe. *Seal*.  $1\frac{1}{2}$  pp. *Endorsed*, Recd. 19 August, Read 4 October 1738. *Enclosed*, 376. i. Petition of John Hammerton of South Carolina to the King. By virtue of letters patent of 11 February 1731/2, petitioner holds the offices of secretary and register in South Carolina, notwithstanding which he was excluded from the office of register by the late Governor Johnson, who appointed his son, Nathaniel Johnson, to that position. Mr. Johnson is now dead. Prays for directions for establishing him as register. *Copy*.  $2\frac{1}{2}$  pp. [C.O. 5, 366, fos. 127-130d.]

377

July 27.

Francis Fane to Council of Trade and Plantations. I have reconsidered an Act passed in South Carolina in 1731 for drawing juries by ballot and for the administration of justice in criminal cases and also the objections of Chief Justice Wright to the said Act. Mr. Wright's objection to the 1st paragraph is that persons named in the schedules annexed and no others shall be obliged to serve on juries. But this nomination was to continue only three years which are long since expired, after which a method is prescribed for naming the jurors, vizt. that the names of those who have paid 20s. or upwards for the preceding year's taxes shall be transcribed

and out of those who have paid 5*l.* shall be made a list of grand jurymen, and after a sufficient number of them are named all those who have paid 20*s.* or upwards shall stand as a list of petty jurymen (unless other lists be appointed by the assembly), which seems to be a very fair and equal method of nomination. Indeed there is a restriction for those jurymen that are to serve at special courts, vizt. that they should be inhabitants of St. Philip's, Charleston, which seems to be intended only to prevent jurymen being obliged on those occasions to take expensive journeys. After this follows the proviso for summoning juries on inquests of office and other special occasions, to which Mr. Wright objects that the method prescribed by the Act is impracticable, but this does not very clearly appear to me.

He further objects that this method is contrary to our law which directs that juries should be summoned out of the neighbourhood; as to which I think his objection very material and can see no reason why juries on inquests of office should be summoned out of the inhabitants of St. Philip's when the lands which the person died seized of may be very remote from it. The paragraph which allows a conscientious declaration and affirmation instead of an oath seems very loosely drawn. We have the like provision in England in the case of Quakers but the Act prescribes the particular form of affirmation. The paragraph in relation to the assistant judges mentions that they are to be commissioned by H.M. or by the governor and commander-in-chief, which last in my opinion seems very proper on account of the necessity of supplying those places before it can be done by H.M.

The allowing counsel and a copy of the indictment to felons is contrary to the practice in England but seems in itself very reasonable, and in case of treason it is allowed here by virtue of an express law; and even felonies though persons are not allowed to make their full defence by counsel, the court generally indulges them in giving their clients all possible assistance. The allowing a copy of the indictment may indeed occasion some cavils but as those may be easily avoided by a little care in drawing the indictments, I think there is not much weight in this objection.

Upon the whole as it is apprehended many inconveniences may arise in the administration of justice if this law is not repealed, and as I cannot observe that the repealing of it will be attended with any ill consequences, for the law relating to juries will then stand upon the same foot as it did before the passing this law, I am therefore of opinion that you may advise the repeal of it. *Signed.* 2½ *pp.* *Endorsed,* Recd., Read 27 July 1738. [C.O. 5, 366, *fos.* 107-108*d.*]

378

July 27.  
Boston.

J. Bowden to Duke of Newcastle. Samuel Waldo has lately gone for England to complain against Governor Belcher for hindering his attempt to effect settlements of the eastern lands near Nova Scotia.

New Hampshire also has lately complained against the governor and everybody here knows that what is set forth in that complaint is true. The dismissal of Governor Belcher and his replacement by Mr. Shirley would be best for this province. What a relief it would be to thousands of H.M.'s good subjects to deliver them from the oppression and tyranny of this sad fellow. *Signed.* 1¼ *pp.* *Endorsed,* Recd. 15 October. [C.O. 5, 899, *fos.* 341-342*d.*]

379

July 31.  
Kensington.

Order of King in Council approving draft instructions for Samuel Horsey, governor of South Carolina, with alterations proposed by Committee of Council for Plantation Affairs. [See A.P.C., Colonial

Series, 1720-45, *pp.* 607-608.] *Signed,* W. Sharpe. *Seal.* 3½ *pp.* *Enclosed,*

379. i. Instructions for Samuel Horsey, Governor of South Carolina. *Draft.*



69 pp.

379. ii. Instructions for the same relating to trade and navigation. *Draft*. 39 pp. [C.O. 5, 197, fos. 155-216d; copy of order, endorsed Recd. 8 May, Read 8 June 1739, in C.O. 5, 367, fos. 23-25d.]

**380**

July 31.  
Kensington.

Same, directing that the Master General of Ordnance cause a supply of great stores and smallarms to be sent to South Carolina. *Copy*, certified by James Vernon. 2½ pp. *Endorsed*, Recd. 8 May, Read 8 June 1739. [C.O. 5, 367, fos. 26-27d.]

**381**

July 31.  
Kensington.

Same, ordering draft to be prepared of a special commission to empower the governor of South Carolina to establish a court of Exchequer. *Copy*, certified by James Vernon. 1½ pp. *Endorsed*, Recd. 8 May, Read 8 June 1739. [C.O. 5, 367, fos. 21-22d.]

**382**

July 31.  
Kensington.

Same, approving draft of additional instruction to President James Dottin of Barbados. *Signed*, W. Sharpe. *Seal*. 1½ pp. *Enclosed*,

382. i. Additional instruction to President Dottin to enquire into the accounts of Francis Whitworth, secretary and clerk to the council of Barbados, and to recommend to the assembly that provision be made for the payment of what is due. *Draft*. 1½ pp. [C.O. 5, 198, fos. 6-8d; copy of order and instruction, endorsed, Recd. 8 May, Read 31 May 1739, in C.O. 28, 25, fos. 79-82d.]

**383**

July 31.  
Kensington.

Same, appointing Reverend Walter Thomas to be a member of the council of St. Christopher's in the room of John Garnett, resigned. *Copy*, certified by James Vernon. 2 pp. *Endorsed*, Recd. 8 May, Read 8 June 1739. [C.O. 152, 23, fos. 215, 215d, 220, 220d.]

**384**

August 1.  
Whitehall.

Thomas Hill to Francis Fane, enclosing five Acts passed in Jamaica on 1 March 1737/8 for his opinion in point of law, vizt. Acts for raising money for subsisting the independent companies and preventing exportation of several commodities to French and Spanish islands; to oblige inhabitants to provide sufficient white people; for a duty on spirituous liquors; for better preserving the public records; for effectually settling the parish of Portland. *Entry*. 2½ pp. [C.O. 138, 18, pp. 291-293.]

**385**

August 2.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Read letter from Robert Millar dated 26 May 1738. Resolved that an application be made to the Lords Commissioners of the Admiralty for a protection for the *Two Brothers* brigantine, Capt. William Thomson, and 11 men, burthen 150 tons for Georgia with passengers to settle there. ½ p. [C.O. 5, 687, p.91.]

**386**

August 2.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle, enclosing the following papers relating to seizure of *Success* by Spaniards. *Signed*, Monson, James Brudenell, R. Plumer. 1 p. *Enclosed*,

386. i. Extract of Governor Mathew's letter to Council of Trade and Plantations, 26 May 1738. *See* No. 247. 2¼ pp.

386. ii. Affidavit of Ignatius Semmes, sworn before Governor Mathew, 13 May 1738. *Copy*, of No. 247. i. 2 pp. [C.O. 152, 40, fos. 330-336d; entry of covering letter in C.O. 153, 16, fo. 73d.]

387

August 2.  
Whitehall.

Same to President James Dottin, acknowledging letters of 2 October, 21 December 1736, 28 February, 14 May, 20 August 1737, and 24 January 1737/8, together with the several papers mentioned therein.

But we find on a review of those which you have transmitted to us that there are several still wanting, vizt. minutes of council since those of 5 July 1737, journal of assembly from April 1734 to 23 September 1735, all those since 28 June 1737, together with the Naval Office list of ships entered or cleared since Michaelmas 1730. With regard to your's of 14 May 1737 relating to the French settlements at St. Lucia and St. Vincent's, we have laid all the papers which are come to our hands concerning that affair before the Duke of Newcastle, and having nothing to say to you on that subject, we shall at present content ourselves with commending you for the care you have hitherto taken and signifying our desire that you would continue to keep the same watchful eye over the proceedings of our neighbours there and transmit such accounts as you judge proper for our information. What you mention in the same letter with regard to Mr. Dunbar is not to be altered, it having been settled by H.M. in council; but as to the case of Mr. Colleton we shall make enquiry into it. At the same time we must inform you Mr. Harrison has been recommended by this board and, as we hear, approved of by H.M. We have the affair of the expenses of the court of grand sessions under consideration. We expect that once in six months you regularly send us a list of members of council taking notice of those dead or absent; and in regard to the last that you particularly remark from whom and for how long a time they have obtained licence of leave. *Entry. Signatories, Monson, James Brudenell, R. Plumer. 3 pp. [C.O. 29, 16, pp. 71-74.]*

388

August 3.  
Georgia Office.

Benjamin Martyn to Josiah Burchett requesting a protection for the *Two Brothers*, 150 tons, Capt. William Thomson, eleven men and the passengers thereon. *Entry. ½ p. [C.O. 5, 667, fo. 74d.]*

389

August 3.  
Philadelphia.

Deputy Governor George Thomas to Council of Trade and Plantations, transmitting deposition of Daniel Cheston. As Cheston may be supposed to have represented matters as favourably to himself as the nature of the case would allow of and yet appears to be very criminal, I have with the advice of the council committed him to gaol till he find security to answer such matters as shall be objected against him on H.M.'s behalf, as well as obliged him to return the two negroes to Lisbon at his own expense, that being the most likely place to find a conveyance for them to Bonavista. I have likewise written to H.M.'s envoy there desiring that he would direct the delivery of the two negroes as he should think most proper. *Signed. 1½ small pp. Endorsed, Recd. 9 October, Read 12 October 1738. Enclosed, 389. i. Affidavit of Daniel Cheston, master of the sloop William of Philadelphia, sworn at Philadelphia, 22 July 1738, before Deputy Governor George Thomas. Deponent with Joseph Wheeler, master of Triumph of Southampton, went to Bonavista in Cape Verde Islands in April last to make salt. There they were badly treated by the Portuguese governor and others who levied an arbitrary tax, demanded presents, stole some goods and defrauded them. In reprisal deponent and Capt. Wheeler took off two slaves intending to drop them off at St. Jago and complain to the providore there. But Commodore Anson in H.M.S. Centurion at St. Jago advised them that they would probably be detained if they did so. They accordingly decided to make for British ports and disclose the whole proceeding. Signed. Attested, by George Thomas. 3 pp. [C.O. 5, 1269, fos. 24-28d.]*



390

August 4.  
Georgia Office.

Harman Verelst to Gen. James Oglethorpe by *Charles*, Capt. Reid, and *Two Brothers*, Capt. Thomson, enclosing copy of Trustees' letter to Mr. Causton by Col. Stephens and of the allowances then established

to Lady Day last which you desired. The Trustees sent you two letters returned from Portsmouth after you sailed. They have sent you a copy of their present letter to Mr. Causton whereby you will see the unhappy situation they should have been in had they not taken the measures they have done to destroy all credit and prevent any expense being made except what is immediately defrayed when they are in cash to direct any more expenses. In confidence of your not issuing any of the 500*l.* in sola bills you carried with you, which the Trustees desire you will not, and to prevent any further uneasiness from the merchants who possess the accounts Mr. Causton has certified and which amount now to 7,311*l.* 16*s.*, besides the demands of Mr. Jenys's and Mr. Chardon's executors are very large, the Common Council have agreed to pay these accounts as far as they can; and what they are deficient in cash for so doing, some of those accounts received latest will be sent back to Georgia to be paid out of sale of the Trustees' effects there (whereof one for 772*l.* 4*s.* 7*d.* belongs to Mr. Simond which did not come to the Trustees' office until 24th of last month) and the balance due to Mr. Jenys's executors must be paid in the same manner.

You will observe by the account herewith sent you what large quantities of provisions and necessaries Mr. Causton has received in store since midsummer 1737 and the large amount of credit he has given the inhabitants, purchasing other provisions and necessaries from the same persons as he did and for which he has made the Trustees debtors in his certified accounts. These sums thereby due to the Trustees together with their effects in Georgia are the only fund to answer all expenses in Georgia to midsummer 1739 besides pay all outstanding demands there and what is deficient to answer the certified accounts sent over, the Trustees being in the first place obliged to provide for their expenses in England, the payment of the outstanding bill of 200*l.* you drew to Paul Jenys 27 April 1736 which has never been brought for payment and of the balance due to Mr. Chardon's executors which Mr. Simond desires may be paid him here. The Trustees therefore desire that you will give Mr. Stephens and Mr. Henry Parker such directions as you shall think necessary for receiving the moneys as are still due in Georgia and for the sale and application of the Trustees' effects there for these purposes. And the Trustees are very sorry there is so much occasion to trouble you hereupon, you having so full employment in your military concerns. As there is no establishment for this year to take place, for want of money to answer one, the Trustees recommend it to you in the directing the application of their effects after their debts are paid that the surplus may be used for defraying only the most necessary expenses which may best conduce to keep the industrious people from any real want until the Trustees can acquaint you what further supply they shall have in the next session of parliament.

The Trustees long for the news of your arrival in Georgia and an account of their affairs thereupon; which, when received, together with your opinion of what articles of expense in the civil concerns of the colony for the further settling it and the encouragement of produces from it to maintain itself hereafter shall be necessary (which is now the only business of the Trust), they will be furnished with proper materials for urging to the Minister that a sum may be put into the estimate in the next session to answer such expenses, which if obtained and voted the Trustees will on the credit of such vote make out their sola bills and send them for defraying the expenses they shall hereafter order; and the money for payment of them will be in the bank before their return from Georgia in order to have an early supply and to answer such expenses at the time of creating them, by reason no debts can be hereafter contracted to make the Trustees liable.

The Trustees cannot be at the expense of a church at Darien. [See No. 392.] Capt. Thomson will sail next week with foreign servants for Georgia at his own risk. Several of them come recommended to you by Mr. Van Riechen, the King's Hanover Secretary. *Entry. 3 pp. [C.O. 5, 667, fos. 79d-80d.]*

391

August 4.  
Georgia Office.

Same to Thomas Causton by *Charles*, Capt. Reid, and *Two Brothers*, Capt. Thomson. The Trustees received your letters dated 20 April and 26 May last and I received your letter dated 28 May last with copies of your journal from 24 May 1737 to 24 July following, whereby the Trustees have copies of your journal from Lady Day 1737 to the said 24 July and no other copies of it whatsoever. On my presenting your said journal to the Trustees they could not but observe that, instead of its being carried on to the date of your letter, some part of it contained matter of a year before. In your letter of 26 May you acknowledge receipt of the Trustees' letter dated 14 December last which came to your hands 30 March following by which you were directed to discharge the demands abroad with the provisions, necessities and sola bills you then had without certifying any more accounts. Yet you have presumed to disregard the Trustees' orders and certified the following accounts, vizt. 7 April 1738 for 129*l.* 8*s.* 4*½d.* to Capt. James Mackpherson, balance of his account to Lady Day 1738; 17th of same month for 349*l.* 17*s.* 6*d.* to Robert Williams & Co.; and 28th of same month for 241*l.* 19*s.* 9*d.* to Messrs. Ellis & Ryan, making together 721*l.* 5*s.* 7*¾d.*; thereby dispensing with the Trustees' commands at your discretion which it was your duty to have punctually obeyed. By this extraordinary conduct of yours, you have taken care to certify all the Trustees' money away without leaving any for the present year; what application you have made of the effects received and of the Trustees' sola bills which you have acknowledged the receipt of you have sent no account, nor so much as mentioned what bills remained unissued.

You acknowledge the receipt of the two other letters of 11 January and 17 February last whereby the Trustees renewed their former orders forbidding your certifying any more accounts, to which by your letter dated 26 May last you have promised an obedience. But you are quite silent as to what accounts you have certified and may be still outstanding. Two accounts came lately for payment since this letter was ordered; they appear certified 7 March 1737/8 for 57*l.* 17*s.* 0*¾d.* to recompense Standberry and 25 March 1738 for 772*l.* 4*s.* 7*d.* to Messrs. Montaigut & Co. The certified accounts brought for payment since 12 June last (when the amount of effects and sola bills received by you since midsummer 1737 was 13,382*l.* 19*s.* 7*d.*) are as follows: Standberry, 57*l.* 17*s.* 0*d.*; Montaigut, 772*l.* 4*s.* 7*d.*; 27 March 1738, Benjamin Munro, 227*l.* 18*s.* 6*d.*; Mackpherson, 129*l.* 8*s.* 4*d.*; Williams, 349*l.* 17*s.* 6*d.*; Ellis & Ryan, 241*l.* 19*s.* 9*d.*; total, 1,779*l.* 5*s.* 8*d.*, which increases the former sum to 15,162*l.* 5*s.* 3*d.*, a very large amount come to your hands since midsummer 1737. You have therefore possessed yourself of what must answer all expenses of the colony to midsummer 1739. For the 8,000*l.* received from parliament this year, if the certified accounts yet unpaid of those sent over which amount to 7,311*l.* 16*s.* (besides that to Capt. Thomson of 469*l.* 1*s.* 1*½d.*) should be paid, and for non-payment whereof the merchants now grow very clamorous, there is not money sufficient to pay them and answer the charges in England. What is therefore deficient for that purpose, and to answer any outstanding demands, must be sent over to Georgia to be paid by the sale of some of the effects in store. For the debts are of your contracting, without the Trustees' authority, and must be paid with what the Trustees have abroad since they have nothing left in England by your most unaccountable management.

You mention your making up general heads of account for 1736 which would



represent to the Trustees the reasons for the general expense whereby they might with more certainty fix their establishment. But you have not thought fit to send them that account and have by the debts you have contracted put it out of their power to establish anything and necessitated them to put it out of yours and every other person's power to contract any more debts for the future to make them answerable for. As to the extraordinary charges you mention on the arrival of Col. Cochran and part of Gen. Oglethorpe's regiment, the Trustees have nothing to do with it, the regiment being payable by the king and all charges relating thereto. The Trustees received their last money only for the settling the colony and they can bring nothing to account in their discharge which relates to the military part of the colony after the said arrival of Col. Cochran and part of the regiment. Therefore whatever these charges are, if paid by you, must be repaid by the regiment for the Trustees cannot be justified in allowing it.

The Trustees received your letter on the stating the late Mr. Jenys's account with his brother, wherein you mention that it stood blended in Mr. Jenys's books with that of the rum duty which occasioned delays so that the account could not be settled in Mr. Jenys's lifetime. And now you have sent the Trustees an account without taking any notice of the rum duty as if the money received from that duty was not to be accounted for. [*Detailed objections to these accounts*] I have also extracted from your certified accounts since midsummer 1737 the account herewith sent you of the different kinds of provisions and necessaries you have received and for which you are accountable, the amount whereof appears to be much more than sufficient to answer the ordinary consumption of the colony, which has alarmed the Trustees the more at your receiving provisions and necessaries in such large quantities and giving credit to persons without the Trustees' authority. You must in your discharge thereof therefore state to the Trustees to whom they have been respectively issued or how other ways applied. And in your remain of stores on Gen. Oglethorpe's arrival you are now directed to state the prime cost of each to let the value of the whole remain appear; and William Stephens and Henry Parker must join in the certifying the good or bad condition of the stores so remaining. The distance the Trustees are from you is so great and so much time lost in writing and receiving answers, you should always endeavour to bring forward as well your accounts as journal as near to the time of your letters as possible, your last journal being near twelve months in arrear; and in your letter of 1 March last you mention that Harris's behaviour will appear in your journal although such journal has never yet been received which ought to have come with the letter. You must be particular in your answer to the several matters herein taken notice of which at present appear so much to your disadvantage.

In your journal of 19 June 1737 you mention certain French prisoners brought down by four Chickesaw Indians in order to be paid for taking them. The Trustees desire to have the occasion of their bringing them and of their demand particularly explained. For they know no reason why they were taken or brought to Georgia and know of no orders given in relation to that matter, the king of Great Britain being at peace with France.

The Trustees cannot but observe in your said journal what they think very extraordinary: that in several places you mention the payment of money to persons without putting down the sums paid and yet leaving blanks for them. They desire to be informed with the occasion of such omissions, you having left the blanks, thus £     with a space for the sum.

The Trustees having been made acquainted with Mr. Ellis's bad cargo of beef which he deposited with you for sale 6 April last and which on 18th of the same month was discovered unfit for use by the return of several casks you issued which were not eatable,

and that on a survey of the said damaged beef 280 out of 290 casks were obliged to be buried, they ordered me to let you know that this transaction is a matter between Mr. Ellis and yourself as his factor and which the Trustees have not nor will have any concern with. Richard Lobb was at the office the 21st of last month and says that you had no money left in Georgia when he came away in May last, not even so much as to pay him a small balance which he was obliged to come over without. What then is become of the Trustees' sola bills and for what services have they been issued? No account thereof has been ever yet received. The future support of the colony to midsummer 1739 must therefore arise from the effects you have bought which must be applied or sold again for that purpose and from the credits you have given. For the Trustees have nothing left to answer any expense here.

There is lately received from John Brownfield two accounts signed by you 29 April last for the several amounts of particulars received by you of Messrs. Pitt & Tuckwell, the one for 102*l.* 5*s.* between 17 January 1737/8 and Lady Day 1738 and the other for 79*l.* 13*s.* 7*d.* between 10 and 26 April 1738; and he writes that you very soon expect sola bills sufficient to pay all the public demands and that you will then pay theirs. From what grounds could you expect such sola bills if you expected the great number of certified accounts you sent over would be paid? Consider the expenses you have created, far exceeding your authority and the Trustees' abilities; and consider also this method of receiving things in store in the Trustees' name to contract debts on their account without any direction from them. But that will be amply provided against before you receive this letter. It is only mentioned that these particulars so received from Messrs. Pitt & Tuckwell must be paid by way of barter or sale of other particulars which you have certified for and received of others without orders from the Trustees and more than the services they directed to be performed had occasion for.

Mrs. Watson has been with the Trustees desiring you would send her back a letter of attorney which she says she sent you to Georgia when she thought that her husband was dead, as also a defeazance of judgement; which the Trustees would have you send her back. And they desire to know whether Mr. Watson, her husband, has any account with the stores unsettled. The Common Council on 6 June 1737, on the application of John Vat, did direct that the 46*l.* 8*s.* 7*d.* South Carolina currency stated due to him should be paid to his servant Rubrecht Kalcker in Georgia, which direction not being then sent you, if the said sum has not been yet paid, it must be now paid out of the remain of stores. *Entry.* 7 *pp.* *Annexed,*

391. i. List of letters sent to and received from Thomas Causton since 12 January 1736/7 when Mr. Oglethorpe attended his first meeting after his arrival in England. *Entry.* 1 *p.*

391. ii. Account of provisions and necessaries received by Thomas Causton in Georgia and of the credits given by him since midsummer 1737 taken from the several certified accounts which have come over to the Trustees' hands to 4 August 1738. *Entry.* 18 *pp.* [C.O. 5, 667, *fos.* 81-93*d.*]

392

August 4.  
Georgia Office.

Harman Verelst to William Stephens by *Charles*, Capt. Reid, and *Two Brothers*, Capt. Thomson. This acquaints you of receipt of your letter to me dated 15 April last with duplicate of a letter to the Trustees dated 29 March last and your journal to 15 April; also your letter to me dated 27 May last and your journal continued. Enclosed is duplicate of last letter to you from me dated 12 June 1738. The particular and intelligent manner of your journals, your sensible



letters and regular correspondence fully answer the Trustees' expectations and prove very satisfactory to them. They now send you by the *Two Brothers* a young gentleman well educated at the University of Dublin whose character has been strongly certified by the Primate of Ireland whereby he obtained ordination of deacon and priest, and is appointed by the Trustees to perform ecclesiastical offices in the room of John Wesley. He comes with well admonished dispositions and the Trustees recommend him to you for advice on all occasions, desiring your introducing him to the magistrates to have all due countenance agreeable to his function. The Trustees are well satisfied you will find him a man after your own heart, capable of doing good and whose behaviour it is to be hoped will excite a suitable return from the inhabitants.

Mr. Causton having by his certifying so many accounts made the Trustees liable to such surprising demands as have swept away the whole money granted by parliament and having in his settling the late Mr. Jenys's account omitted to charge him with the money he received at Charleston for the duty on rum, the said account is sent back and what shall appear really due to the said Mr. Jenys's executors must be paid by the sale of some of the Trustees' effects in the store, they having no money left in England to defray the expenses of the colony to midsummer 1739 which must therefore be defrayed by applying (or sale of) their effects in Georgia as well as all outstanding debts under your and Mr. Henry Parker's directions. The Trustees have written to Gen. Oglethorpe on that head also. The intended establishment for this year not being able to take place for want of money to answer it, the Trustees recommend that in the application of their effects after their debts are paid the surplus may be used for defraying only the most necessary expenses which may best conduce to keep the industrious people from any real want until they shall have a further supply in the next session of parliament.

Mr. Oakes, one of the king's coachmen, whose son was bound to the Trustees and sent to Georgia having attended the Trustees on a complaint of the cruel usage given to his son by Young the wheelwright (to whom the Trustees had assigned the said lad as most proper by reason he had served of his time to that trade in England), the Trustees desire you will send for the young man and enquire into the treatment he has received from his master and of his master's neglect in employing him in the business of his trade. And in case you shall find just reason for complaint the Trustees who are desirous that all masters should be duly punished who use their servants ill but particularly Mr. Young for using this lad ill who was a servant assigned to him from them for better purposes and as matter of favour, being bred to his business; and therefore they think him a proper example for punishment. If the lad desires to return home to his friends in England rather than serve his time out and have the benefit of settling on land for himself in Georgia, you have the Trustees' full authority to vacate the lad's indenture and send him home by the *Two Brothers*, Capt. Thomson, who sails for Georgia next week with a freight of foreign servants at his owner's risk.

In your journal of 20 April last you mention that the minister at Darien had desired your and Mr. Causton's opinion whether he might exceed the dimensions of the church intended at Darien, those given being too little. The Trustees acquaint you that they cannot be at the expense of building a church at Darien for the Scots, and therefore it must not go on at their charge. They, as you desired them, now acquaint you that the grand jury has no right by law to administer oaths. They desire to know whether the inhabitants have a prudent caution of saving the timber they fell from their lands in order when the sap is out to make proper use of, the Trustees finding that last year Robert Williams brought sawed timber from Carolina which it might have been expected from the number of sawyers in Georgia the inhabitants might have furnished themselves with. *Entry. 2½ pp. [C.O. 5, 667, fos. 75-76.]*

393

August 4.  
Georgia Office.

Same to Thomas Jenys by *Charles*, Capt. Reid, acknowledging receipt of letter of 24 April last. The Trustees were always greatly obliged to your late brother and very sensible of his zeal for Georgia. The account you sent over should have contained all monies received from the treasurer of South Carolina for the duty of 3*d.* a gallon on rum payable to the Trustees and receivable by your late brother from 1 December 1733 by an Act of the assembly until the sum of 8,000*l.* current money was paid. To 1 March 1736/7 your late brother acknowledged to have received 7,361*l.* 0*s.* 4½*d.* currency of South Carolina in part of the said 8,000*l.* (excepting a difference of 7½*d.*) and the residue being 638*l.* 19*s.* 7½*d.* has been or may be since received. The payments out of which sum to 10 September 1736 amount to 4,296*l.* 14*s.*, balance in favour of the Trustees (if or when the whole 8,000*l.* is received) is 3,703*l.* 6*s.* This balance will reduce the balance of the account you stated with Mr. Causton to 566*l.* 14*s.* 4½*d.* currency which at 740*l.* per cent. (the rate of exchange in 1736 when your late brother stated the balances due from the Trustees to amount to 594*l.* 6*s.* 10½*d.*) the sterling money will be 76*l.* 11*s.* 8*d.* The Trustees having passed a grant of 500 acres of land to your late brother and another to Mr. Baker his partner in 1735, the consideration monies and registers thereof with the auditor amounted to 3*l.* 3*s.* sterling which reduces the said balance due to your late brother to 73*l.* 8*s.* 8*d.* The Trustees have offered this to Messrs. Smith & Bonovrier. If the 638*l.* 19*s.* 7½*d.* residue of the 8,000*l.* currency is not received, the Trustees desire it may be paid you and your sister as executors to your late brother by the treasurer of the province in discharge of the whole sum granted.

The bill Mr. Bradley drew on me for 30*l.* is no affair of the Trustees. Mr. Bradley must answer for it, there being no effects of his received in England to pay it out of nor a speedy likelihood of any. Account of rum is annexed. There is an outstanding bill of 200*l.* sterling drawn on the Trustees by Mr. Oglethorpe 27 April 1736 to your late brother which has never come to England: your account states it drawn by Mr. Causton but your brother's own account states it as it was drawn by Mr. Oglethorpe. *Entry.* 2¼ *pp.* *Annexed*,

393. i. Account of duty of 3*d.* a gallon on rum imported into South Carolina for raising 8,000*l.* current money for the use of Georgia received by Messrs. Jenys & Baker of Charleston. Received from Treasurer, 1 December 1733–1 March 1736/7: 7,361*l.* 0*s.* 4½*d.* on 588,881½ gallons. To be received: 638*l.* 19*s.* 7½*d.* By drafts by Mr. Causton, 13 May 1735–11 August 1737: 4,296*l.* 14*s.* Balance, 16 April 1737, 3,064*l.* 6*s.* 4½*d.* *Entry.* 2 *pp.*

393. ii. State of account of late Paul Jenys with Trustees for Georgia, showing balance due to executors of 73*l.* 8*s.* 8*d.* *Entry.* 2 *pp.* [C.O. 5, 667, *fos.* 76*d.*–79.]

394

August 4.  
Georgia Office.

Same to Messrs. Crockatt & Seaman by *Charles*, Capt. Reid. I received your letter and have paid Mr. Pomeroy your account of the ozenbrigs etc. In the enclosed *Gazette* you will see an article published by the Trustees for Georgia which Mr. Abercromby, the attorney-general, who sailed on the *Samuel* for Charleston undertook to have published in the *South Carolina Gazette* and to be continued for one month. In case he is arrived and it is published the Trustees' expectations are answered; but if he is not arrived the Trustees desire you will immediately cause the said article (which relates to credit) to be published as above, and the expense thereof shall be paid to Mr. Pomeroy on notice thereof. If it has been omitted by accident please remind Mr. Abercromby to have it done. The enclosed packet is to be forwarded to Georgia by first opportunity. *Entry.* ½ *p.* [C.O. 5, 667, *fo.* 74 *d.*]



395

August 5.  
Antigua.

Governor William Mathew to Alured Popple. I send in a box [*Note in another hand*: Not recd. when the letter came.] under the care of Thomas Boyd the duplicates of minutes of assembly of Antigua for three years past to 1 June 1738; and to these I now add minutes of council of Antigua 1 February 1736/7–26 May 1738 [Recd.]; minutes of assembly of Nevis 15 July 1735–13 June 1737 and so to 27 June 1738 [Recd.]; minutes of council of Montserrat, 25 March–24 June 1738 [Recd.]; minutes of assembly of Montserrat, 29 March 1738–17 June 1738 [Recd.]. *Signed*. 1 small *p*. *Endorsed*, Recd. 24 October, Read 25 October 1738. [C.O. 152, 23, *fos*. 162–163*d*.]

396

August 6.

Lieut.-Governor William Gooch to Council of Trade and Plantations, enclosing the following papers. *Signed*.  $\frac{1}{2}$  small *p*. *Endorsed*, Recd. 19 September, Read 3 October 1738. *Enclosed*,

396.i. Account of H.M.'s revenue of 2*s*. per hogshead in Virginia, 25 October 1737–25 April 1738. Balance brought forward, 5,423*l*. 8*s*. 2 $\frac{1}{2}$ *d*. Receipts, 777*l*. 2*s*. 2 $\frac{3}{4}$ *d*. Disbursements, 2207*l*. 8*s*. 9 $\frac{1}{4}$ *d*. Balance remaining, 3,993*l*. 1*s*. 8*d*. *Signed*, John Grymes, Receiver-General. Audited by John Blair, Deputy Auditor, 15 June 1738. Passed by William Gooch. 2 *pp*.

396.ii. Account of H.M.'s revenue of quitrents in Virginia, 25 April 1737–25 April 1738. Balance brought forward, 4,535*l*. 18*s*. 2*d*. Receipts, 3,911*l*. 1*s*. 8*d*. (each county shown separately, how much land paid for etc.) Disbursements, 1,287*l*. 1*s*. 11*d*. Balance remaining, 7,159*l*. 17*s*. 11*d*. *Signed*, audited (31 July 1738) and passed as preceding. 4 *pp*. [C.O. 5, 1324, *fos*. 131–136*d*.]

397

August 8.  
New Providence.

President John Howell to Council of Trade and Plantations. On Saturday last Mr. Fitzwilliam, governor of these islands, sailed from hence in a sloop bound to New York in order to get passage for London, whereby the administration of this government during his absence has devolved on me as eldest councillor, and I hope I shall have no manner of difficulty in keeping the country and garrison in the same tranquillity and good order the governor has left them, which I really did not believe the first year of his administration he would be able to accomplish so soon as he did because of the distracted condition he found the inhabitants in, occasioned by party disputes raised among them during the life of the late Governor Rogers and kept up by the contrivance of that Colebrooke so often mentioned to you until he fled the country. It is certain that the majority of the people of this island (who are not quite of so good an original as I could wish them) were at first greatly alarmed at the restraint put upon their loose, licentious inclinations by the governor; for before his arrival most men here did what seemed best in their own eyes without having any regard to the laws of God or man and this island was a safe refuge to every person that pleased to come hither who had committed piracy or barratry in any part of the West Indies. But I have now the pleasure to find that this place is grown odious to such vagabonds by means whereof the few people we have are much weaned from their former ill habits and greatly turned to industry and labour and our little town improved more within these three years past in building than it was in twenty before; and if the present spirit continues among the people I doubt not but they will gain a more comfortable subsistence than I have known them to have had these twenty years I have been among them.

The garrison has long laboured under difficulties by reason there is not such allowance from the government as is usual for fire, candle, bedding and suchlike contingencies as also in regard to their want of proper barracks and a sufficient proportion of provisions. For they have never had more or indeed constantly so good as since the present gover-

nor's arrival, yet to speak the truth I believe they heretofore took more liberties with people's plantations in the night than they dare venture at now: for that unjust practice became so intolerable to the poor planters that they began to withdraw themselves to the out-islands where they might be more certain of reaping the fruits of their labour themselves, which the governor observing soon after he landed, he set about to rectify that abuse and it was with great difficulty he accomplished his purpose for as the feuds increased in the country a spirit of mutiny was artfully raised in the garrison insomuch that they would scarce pay any obedience to the commands of their officers. But that spirit is quite vanished and they are become as orderly and submissive as any troops in H.M.'s service. This short detail of the present state of the country I judged not improper to give you at my admission to the government which I hope I shall conduct in such a manner as to gain your approbation and that the governor will find the country at his return in no worse situation than he has left us. *Signed. 2 pp. Endorsed. Recd. 20 March, Read 21 March 1738/9. [C.O. 23, 4, fos. 59, 59d, 64, 64d.]*

398

August 8.  
New Providence.

Same to Duke of Newcastle. [*In substance same as first paragraph of No. 397*] I am confident that a little encouragement from the crown towards increasing the number of our inhabitants would very well answer the expense. *Signed. 2 pp. Endorsed, Recd. 19 March. [C.O. 23, 14, fos. 300-301d.]*

399

August 9.  
Kensington.

Royal warrant to Governor William Mathew to admit Walter Thomas, clerk, appointed councillor of St. Christopher's in the room of John Garnett, resigned. *Entry. 1 p. [C.O. 324, 37, p. 119.]*

400

August 9.  
Whitehall.

Council of Trade and Plantations to Lieut.-Governor William Gooch. Since our last of 15 October 1736, we have received your letters of 2 September, 5 December 1736, 8 January, 21 February, 16 May, 20 June, 19 August and 8 November 1737. Yours of 20 June 1737 gave us no small satisfaction from the several answers given therein to our queries relating to the trade and manufactures, of which we hope that you will continue from time to time to send us the best account that you are able and likewise that you will inform us whenever any alterations therein shall be made.

We have received your letters of 8 January and 19 August 1737 relating to the boundaries of Lord Fairfax's lands. My lord had some time since made application to be heard before us and a day was accordingly appointed; but before the time came the Treasury thought proper to take the affair under their own consideration and as the whole now lies before that board we have nothing further to say to you upon that head.

In the same letter of 19 August you mention the arrival of two factors employed by the French farmers to purchase 15,000 hogsheads of Oronoko tobacco in your government and in Maryland. At the same time you say the proposal they make is agreeable to the laws of navigation and attended with no inconvenience but rather on the contrary advantageous. As we have yet heard nothing of Mr. Kercher, one of these factors, who you say is upon his return to London, we shall expect from you by the first opportunity such further information as you shall be able to give us in this affair. We have received the papers you mention in the same letter as sent with it. We shall only add that we expect that once in six months you regularly send us a list of the members of council, taking notice at the same time of such as are dead or absent, and that you particularly specify in your account of the last from whom as well as for how long a time they have their licence of leave so far as you are able. *Entry. Signatories, Monson, James Brudenell, R. Plumer. 3 pp. [C.O. 5, 1366, pp. 290-292.]*



401

August 9.  
Whitehall.

Same to Lieut.-Governor George Clarke. Since our last of 22 June 1737, we have received yours of 9 April, 9 May, 17 June, 14 October, 28 November 1737, 18 February and 2 June 1738, together with the public papers transmitted by you. As regards the several Acts, you shall hear further from us; but in the meantime we must acquaint you that notwithstanding your pressing instances in favour of the Triennial Bill, backed by your son's arguments, who has frequently attended us, we can by no means recommend it to H.M. for approbation. Nevertheless we must desire you to use your utmost endeavours to obtain a settled revenue agreeable to your instructions, in which undertaking we hope you will meet no difficulty but what you will be able to get over. Your son and Mr. Paul Richard have been recommended to the king to be of the council. We promise ourselves no small advantage from your intended meeting with the Six Nations. We are very much concerned to find that the French make such great advances but we hope that you will be able to prevent them from doing us any essential prejudice in regard to the Indian trade, especially if you obtain the liberty of building the fort you mention at Tierondequat. We commend your readiness to assist Carolina and your care in preventing provisions being sent to St. Augustine and doubt not but on every occasion you will use the same diligence thoroughly to defeat any sinister designs of the Spaniards. Your letter of 17 December 1737, mentioned in your's of 18 February last, never came to hand. We expect the remaining answers to our queries promised in yours of 2 June last by the first conveniency. We expect likewise that once in six months you regularly send us a list of the members of council, noticing those that are dead or absent, and particularly remarking from whom and for how long licence of leave was obtained. *Entry. Signatories*, Monson, James Brudenell, R. Plumer. 3 pp. [C.O. 5, 1126, fos. 35-36.]

402

August 10.  
Whitehall.

Same to the King, recommending disapprobation of an Act passed in New York in December 1737 for frequent elections of representatives to serve in general assembly, as an infringement of the undoubted right which the crown has always exercised of calling and continuing the assembly of this colony at such times and as long as it was thought necessary for the public service. *Entry. Signatories*, R. Plumer, M. Bladen, Monson, James Brudenell. 1 p. [C.O. 5, 1126, fo. 36d.]

403

August 10.  
Whitehall.

Same to the King. We have considered an Act passed in South Carolina in August 1731 for drawing jurors by ballot and for better administration of justice in criminal causes. We have likewise had the opinion of Mr. Fane who has the following objections: [see No. 377.] We have likewise received some papers from South Carolina relating to this Act and add as a further objection to it that in cases of escheats and inquests of office on special matters the Act confines the writ of *venire facias* (by which jurors are summoned) to issue only from the courts therein specified and takes no notice at all of the court of Exchequer; whereupon it has happened that summons have been disobeyed under a pretence that there was no law in the province to compel jurors to serve on such inquests. For which reason we lay the said Act before you for your disapprobation. *Entry. Signatories*, Monson, James Brudenell, R. Plumer, M. Bladen. 3 pp. [C.O. 5, 401, pp. 302-304; draft in C.O. 5, 381, fos. 299-300d.]

404

August 10.  
Whitehall.

Same to Governor William Mathew. Since our letter to you of 8 October 1736 and to you from our secretary of 11 August 1737 in which he acknowledges several letters from you, we have received two others from you dated 14 June 1737 and 31 March 1738, and have seen your's to our

secretary of 18 July, 14 September, 20 October, 12 November, 10 December 1737, 23 February, 1 March, 15 April and 26 May 1738. In answer to the several letters relating to the French settlements at St. Lucia, St. Vincent's and Dominica, and to the Spanish and French depredations, all the papers upon those subjects have been transmitted to the Duke of Newcastle to be laid before H.M. and likewise everything you mention in your letter of 26 May 1737 has been before the Council. We make no doubt you have before this received H.M.'s pleasure relating thereto. We therefore think it not necessary to say anything more on those subjects. We have reported against the two Acts of Antigua, one attainting the two Johnsons and the other for trying John Coteen and Thomas Winthorp upon the evidence of slaves: we have been informed that orders have been already sent you not to give assent to that relating to the Johnsons. We shall take a proper opportunity to consider upon the settling the Virgin Islands. We expect that once in six months you regularly send us a list of councillors in the respective islands under your government, taking notice of such as are dead or absent, and particularly specifying from whom and for how long they have obtained licences of leave. *Entry. Signatories*, Monson, James Brudenell, R. Plumer. 2½ pp. [C.O. 153, 16, fos. 74-75.]

405

August 10.  
Whitehall.

Same to Governor Jonathan Belcher. Since our letter of 23 September 1736 we have received your's of 28 December 1736, 2 March, 10 and 12 May, 14 June, 11 July, 8 August, 17 and 24 September, 7 November, 17 December 1737, and 28 January 1737/8, together with the public papers therein mentioned. In answer to all which in general, we shall only say that we have had the several matters contained in them under our consideration but are not yet come to any resolution so as to be able to communicate our thoughts to you on those heads. But to enable us to form a right judgment with regard to the paper money, we advise you to send us by the first conveniency the present state of that affair with an account of what bills are standing out, what provision is made for sinking the same, and with every particular relating to that head which may be of any service in giving us light into a matter of so much obscurity. For Mr. Wilks, your agent, has given no satisfactory account of that matter. We expect every six months a list of such members of the council of New Hampshire as are either dead or absent, and that particularly with regard to the last you specify from whom and for how long a time they have had licence of leave. *Entry. Signatories*, Monson, James Brudenell, R. Plumer. 3 pp. [C.O. 5, 917, fos. 115-116; draft in C.O. 5, 897, fos. 149-150d.]

406

August 11.  
Georgia Office.

Harman Verelst to General James Oglethorpe by *Two Brothers*, Capt. Thomson, and *Minerva*, Capt. Nickleson, enclosing copy of Trustees' last letter of 4th. inst. They now send you the following account of the disposition of their servants in Georgia as it appears to them and of the directions they have been given concerning them. The 40 menservants sent to the Darien under the care of Lieut. John Moore Mackintosh, the Trustees have directed an account of to be sent from him and certified by the magistrates at Frederica showing to which of the freeholders at the Darien any, and how many, of the said 40 servants have been disposed of; and also showing in what service the others of the said 40 servants and the 10 women, 1 girl and 1 boy (part of those at the owner's of the *Two Brothers* risk put under the care of Lieut. Mackintosh) have been employed and how the profit of their labour is accounted for to the Trust. And as the grant for 300 acres of land in the southern part of the province for the religious uses of the colony went over with you the Trustees desire that the said land may be set out and have directed that seven of the servants now under the care of Lieut. Mackintosh should be immediately employed in the cultivation thereof



and that the then residue of all the said servants at the Darien should be offered for supplying the people at Frederica who want servants on their giving bond for 8*l.*, the expense of each head to be paid in twelve months from the date unless the profit of their past labour (over and above the charges of their clothing and maintenance) being accounted for to the Trust can reduce that sum; and in that case the bond is to be given for so much less.

For the following servants the Trustees have paid 8*l.* per head to Capt. Thomson's owner which must be repaid to the Trustees by the several persons hereafter named, they having been credited with them by Mr. Causton or Mr. Causton must be answerable for what may be not paid, vizt. 6½ heads in service of Thomas Causton being 4 men, 2 women, 1 boy; 2 men in service of Archibald MacBean; 1 woman, wife of Laughlan MacBean; 1 woman in service of Alexander MacLean; 1 woman, daughter of Benjamin Mackintosh; 3 men, 1 woman in service of Lieut. John Moore Mackintosh; 1 man in service of William Mackintosh; 1 man in service of Kenneth Baillie; 3 men, 1 woman in service of James Anderson; 10 men, 1 woman in service of John Bradie. Total: 32½ heads at 8*l.*, 260*l.*

The womenservants by Capt. Thomson's ship in the services of William Stephens, John Brown and John Vanderplank's widow, the Trustees bear the charge of. The womanservant to Nathaniel Polhill's widow by the said ship, Sir John Lade will pay for. And the Trustees have directed me to call upon Miss Lupton, the sister of Mr. Upton's wife, to try if she will pay the 8*l.* per head or any part thereof for the 3 men and 3 women-servants by the said ship Mr. Causton credited Mr. Upton with: otherwise he or Mr. Causton must be answerable to the Trustees for that 48*l.*

The servants by the *Three Sisters* amounted to 121½ heads, whereof 9½ heads Mr. Causton took into his own service for which he is debtor to the Trustees at 6*l.* 2*s.* 6*d.* per head, 58*l.* 3*s.* 9*d.* And 29 men, 27 women, 16 boys and 15 girls making 71¾ heads were put under the care of Mr. Bradley with leave for masters in Georgia to repay 6*l.* 2*s.* 6*d.* per head, the charges of sending them, within six weeks and thereby free them from the Trustees' service. The rest of the said servants were employed or disposed of as follows: 10 men, 10 women, 7 boys, 13 girls making 30 heads were appointed to work at the crane and in the garden; 2 men, 2 women, 2 boys, 2 girls making 5½ heads were appointed to the millwrights at Ebenezer; 2 men, 2 women, 1 boy making 5 heads were assigned to Capt. Gascoigne. Mr. Wragg has received from the Trustees the balance of his account of the freight and the 100*l.* for delivering these servants at Tybee; but as to the extraordinary demand of 87*l.* 16*s.* (over and above the 100*l.*) for want of a pilot coming off from Tybee when the *Three Sisters* first arrived, the Trustees, without you can furnish them on enquiring into the case with further reasons than the captain's protest and certificate, cannot enter into it. The 37*l.* 7*s.* 9*d.* sterling received of the passengers in Holland and made good to them by Mr. Causton, Mr. Wragg is still answerable for; and Governor Horsey will be made acquainted therewith that it may be paid to the Trustees out of the money due to Mr. Wragg from the province of South Carolina by virtue of the Duke of Newcastle's letter now directed to Governor Horsey.

The Trustees have ordered that out of such of the 71¾ heads of German servants not freed within the six weeks granted for that purpose and who still remain under Mr. Bradley's care, seven of them should be employed in the cultivation of the 300 acres of land at Savannah for the religious uses of the colony; two more of them with their wives, such as Henry Parker shall choose, to be assigned to him from the Trustees in consideration of his services as bailiff; and two more to be assigned to Thomas Christie if he still continues in his office of recorder; and that the then residue of the said 71¾ heads should be employed in the cultivation of Bouverie's Farm which must be set out and cultivated

to discharge the Trustees of Sir Jacob Bouverie's benefaction for that purpose. The Moravian Brethren having laboured in Georgia to the amount of 260*l.* *os.* 10*d.* sterling as certified by Mr. Causton in two accounts dated 10 August 1737 and 25 February 1737/8, and one of the brethren having delivered those accounts to the Trustees, they have balanced their bonds by that labour and the Trustees have delivered them up.

The incorporated Society in Scotland for Promoting Christian Knowledge being willing to bestow a sum on their missionary at Darien (over and above the annual 50*l.* paid to him) to enable him to procure servants to cultivate the land allowed him on condition that the land so improved be declared by the Trustees to belong to the said Society's missionary at Darien, the Common Council have resolved that on the surrender of John McLeod's 50-acre lot at the Darien to the Trustees it shall be granted for or towards the maintenance of a missionary minister at the Darien for so long time as the said Society shall continue to send and support a person to be missionary there, the said missionary to be approved of and authorized by the Trustees.

John West having named David Provoost jnr. of New York, merchant, to succeed to the lot at Savannah late Joseph Hughes's, and Capt. Thomson having consented thereto, the Common Council have agreed to the same. Whereby it is to be hoped Mr. West will be enabled to pay his 10*l.* note to me for the Trustees' use dated 26 September 1735 and payable in two years; and the Trustees have directed him to be called upon for that purpose and also to know if his draft on Mr. Causton to you 27 October 1735 for 60*l.* sterling has ever been paid; and if it has not, that it may be. William Norris having been very well recommended to the Trustees to succeed John Wesley at Savannah and having received the ordinations of deacon and priest comes over by the *Two Brothers* to take upon him the ministry at Savannah; of whose behaviour the Trustees have great hopes.

On 21st of last month the king signed the instruction to the Trustees relating to the trade with the Indians in Georgia, which will be taken into consideration as soon as Mr. Vernon comes to town, that if any part of it shall appear to want an explanation the Trustees may apply for that purpose. The Lords of the Committee present when that part of the report was settled were the Speaker, the Master of the Rolls and Sir Charles Wager. As soon as the Trustees have come to a resolution hereupon you will be acquainted with the result. Mr. Eyre and Mr. Thomas Tower met last Monday to consider of the most effectual method to enforce the execution of the Act prohibiting rum in Georgia, and they are of opinion that one proper method would be that on the summing up of the evidence to the jury on any trial it should be general, whether they should find it rum, brandy or any spirituous liquor, if they believed it to be a spirituous liquor sold, used or brought into the colony, it was within the Act and by virtue of their oaths they would be obliged to give a verdict and find the offence. The same gentlemen also considered of the most effectual way for preventing private credit and are of opinion that a law should be prepared by the Trustees on the foot of the Irish law for recovery of small debts which has been regularly executed and without any inconveniences; but that instead of confining the debtor there should be a clause giving the creditor power over his debtor to make him labour and work out his debt at certain times, computing a proper number of days labour per pound sterling, and on the debtor's non-compliance he should be obliged to work for the public or be confined. And something of this nature will be further considered of.

The Trustees have sent the surveying instruments you desired for Mr. Auspurgur, the surveyor, in a case and 1,000 gun worms in a box, the gun worms being part of the presents designed for the Indians. The 40 pieces of duffels and 6 pieces of strouds in 9 bales and a cask, with pocket knives, looking glasses etc. for the Indians and a box of



matchets, will be shipped next week on board the *Minerva*, Capt. Nickleson, Capt. Thomson not having room for them and no other ship going to Georgia this year. They will be forwarded to Thomas Jones at Savannah or in his absence to William Stephens and Henry Parker with other parcels on board the said ship which are sent to John Brownfield by Mr. Tuckwell; and Lieut.-Col. Cochran's sergeant going over in the said ship will take care of them.

The Trustees received a letter from Mr. Whitefield relating to the building of a tabernacle, minister's house and schoolhouse at Frederica, which they think necessary to be done out of the fund for the religious uses of the colony. But as he is coming over for priest's orders there is time for doing it against his return. Charles Wesley thinks of returning as soon as his health will permit him. Mr. Whitefield writes that he desires an order from the Trustees to have money to bear his or Mr. Habersham, the schoolmaster's, expense in their voyage back to England when they shall have a desire of returning. As to Mr. Whitefield's coming back for priest's orders it is no doubt necessary but for Mr. Habersham's return the Trustees don't see any immediate necessity if he is of any use in Georgia, but they refer that to you who can judge better on the spot. The Trustees have paid for Mr. Brailsford's passage by the *Two Brothers* and the Common Council ordered him 25*l.* for his attendance on the dispute between South Carolina and Georgia, which has been paid him. Amos Callard sent to me this morning to attend him about the money for Georgia, and although he fully depended on 400*l.* it is reduced to 300*l.* which is ordered to be paid into the hands of the secretary to the Trustees; and I have given Mr. Martyn notice to go and receive it. *Entry. 6 pp.* [C.O. 5, 667, *fos.* 94-96*d.*]

407

August 11.  
Georgia Office.

Harman Verelst to Lieut. John Moore Mackintosh by *Two Brothers*, Capt. Thomson, and *Minerva*, Capt. Nickleson. In November 1737 you having 40 menservants put under your care and 10 women, 1 girl and 1 boy, the Trustees desire an account from you certified by the magistrates at Frederica to show them if any, and how many, of the 40 menservants have been disposed of and to which of the freeholders at the Darien and also to show them in what service the other of the 40 men and the 10 women, 1 girl and 1 boy have been employed and how the profit of their labour is accounted for to the Trust; which account you are desired to transmit them by the first opportunity. The Trustees also direct that seven of their servants now under your care should be immediately employed in the cultivation of 300 acres of land in the southern part of the province which Gen. Oglethorpe is desired to order to be set out for the religious uses of the colony, and that the then residue of all the said servants of the Trustees at the Darien should be offered for supplying the people at Frederica who want servants on their giving a bond for 8*l.*, the expense of each head, to be paid in twelve months from the date unless the profit of their past labour (over and above the charges of their clothing and maintenance) being accounted for to the Trust can reduce that sum; and in that case the bond is to be given for so much less. And the Trustees expect that those freeholders at the Darien who were supplied with servants in November last will be careful in repaying their 8*l.* per head when the year is up. *Entry. 1 p.* [C.O. 5, 667, *fo.* 100*d.*]

408

August 11.  
Georgia Office.

Same to Rev. George Whitefield by *Two Brothers*, Capt. Thomson, and *Minerva*, Capt. Nickleson. I received your letters of 6, 16, 27 May last which I laid before the Trustees. They are very glad you had so pleasant a voyage and of the concurrent circumstances which made it so, but they are sorry that pleasure was superseded with your own and the passengers' illness. I received your letter from Gibraltar also, and the Trustees have sent you by the *Two Brothers* the stationery you desired. Gen. Oglethorpe sailed from Plymouth 4th of last month and I

have written to him about the tabernacle, minister's house and schoolhouse at Frederica, for which there is time while you come to England for priest's orders and return. By this ship Rev. Mr. Norris comes to officiate at Savannah in the room of John Wesley, and very seasonably for the time you mentioned of your return to England. The expenses of your voyage back I have written to Gen. Oglethorpe and Col. Stephens about, but I hope Mr. Habersham will continue the care of the school until your return when he may remove with you to Frederica, and the care of the school at Savannah will then be supplied by Mr. Norris if Mr. De La Motte should not return. Yet if it is necessary for Mr. Habersham's return with you the expense thereof, on that necessity being represented to Gen. Oglethorpe or Mr. Stephens, must also be defrayed. Charles Wesley intends to return to Georgia as soon as his health will permit him to be itinerant minister. *Entry. 1 p.* [C.O. 5, 667, fo. 100.]

## 409

August 11.  
Georgia Office.

Same to Henry Parker by *Two Brothers*, Capt. Thomson, and *Minerva*, Capt. Nickleson. The Trustees have ordered you two menservants and, if married, their wives as well; you are to choose them yourself and they will be maintained by the Trustees until further orders. They have also sent you by the *Two Brothers* clothing and necessaries to the value of 14*l.* 15*s.* part of the 20*l.* they ordered me to lay out for you; the remaining 5*l.* 5*s.* you may supply yourself with shoes, stockings and hats from Capt. Thomson and draw upon me for it, without you would have that sum paid here to Mary Cooper your landlady for half a year's rent of her house at Savannah from 16 June 1737 instead of your paying it under her letter of attorney, if it is unpaid; or in discharge of any future half-year. The two years rent from 1735 to 1737 the Trustees have at two different times advanced her, for Mr. Causton as her attorney to receive of you and place it to their account. P.S. China mug in the box you are to deliver to William Stephens. *Entry. 1 p.* [C.O. 5, 667, fo. 99d.]

## 410

August 11.  
Georgia Office.

Same to Thomas Jones by *Two Brothers*, Capt. Thomson. By this ship comes consigned to Gen. Oglethorpe 24 half-hogsheads of molasses, 425 pairs of men's and 151 pairs of women's shoes, a cask of shoes for Mr. Carteret. Consigned to you (and if absent to William Stephens and Henry Parker) come the following parcels: [see list in No. 412] which I hope will arrive in good condition. The bill of lading for the said consignment I have enclosed to William Stephens. I gave notice to Mr. Edwards in Bucklersbury about Capt. Thomson's departure as you desired; and the two persons you spoke of go by this ship. I hope you had a safe, though I fear a very tedious voyage and that this finds you in good health. *Entry. 1 p.* [C.O. 5, 667, fo. 99.]

## 411

August 11.  
Georgia Office.

Same to Thomas Causton by *Two Brothers*, Capt. Thomson, and *Minerva*, Capt. Nickleson. [Accounts and orders in No. 406 concerning servants by Capt. Thomson, the disposal of German servants by Three Sisters, the succession of David Provoost jnr. to lands in Georgia, and the execution of Act prohibiting rum in Georgia, are repeated here.] *Entry. 2 pp.* [C.O. 5, 667, fo. 98, 98d.]

## 412

August 11.  
Georgia Office.

Same to William Stephens by *Two Brothers*, Capt. Thomson, and *Minerva*, Capt. Nickleson, enclosing copy of Trustees' last letter of 4th. inst. [Orders in No. 406 concerning disposal of German servants, succession of David Provoost jnr. to lands in Georgia, and prohibition of spirits in Georgia, are repeated here.] There comes consigned to you and Henry Parker (if Thomas Jones should be absent from Savannah) parcels and boxes for the following: Mr. Carteret;



Henry Parker at Savannah; William Williamson at Savannah; Mr. Auspurgur; Thomas Eyre, cadet in Gen. Oglethorpe's regiment; Thomas Young at Savannah; John Coolen at Savannah; Rev. Mr. Whitefield; the secretary for Indian affairs; Gen. Oglethorpe (to dispose in presents to Indians); mace for town court of Savannah; two boxes for yourself containing letters, *Daily Advertisers* and parcels for Lieut.-Col. Cochran and Francis Moore. *Entry*. 2 pp. [C.O. 5, 667, fo. 97, 97d.]

413

August 14.  
Annapolis Royal.

John Adams to Thomas Hill, acknowledging letter and enclosing the following. *Signed*. 1 p. *Endorsed*, Recd. 12 October, Read 13 October 1738. To lie by until some agent applies. *Enclosed*,

413. i. Annapolis Royal, 14 August 1738. Petition of John Adams to the King, setting forth his services in the taking of Port Royal in 1711 and in Nova Scotia since that time in the course of which he has become blind, and praying for a pension in the short time remaining for him to live. *Signed*. 1 p. [C.O. 217, 8, fos. 29-31d.]

414

August 16.  
Whitehall.

William Sharpe to John Scrope transmitting order of Committee of Council for Plantation Affairs of 27 May 1738 referring to Council of Trade and Plantations Lieut.-Governor David Dunbar's petition for reimbursement for his settlement in Nova Scotia and the report of the Council of Trade and Plantations thereon of 4 July 1738. The Lords of the Committee conceive it improper for them to lay such an affair before H.M. and therefore send the papers to be laid before the Lords Commissioners of the Treasury. *Copy*. 2½ pp. [see *A.P.C.*, Colonial Series, 1720-45, pp. 611-612] *Annexed*,

414. i. Order of Committee of Council, 27 May 1738. *Copy*, of No. 251. ½ p.

414. ii. Report of Council of Trade and Plantations, 4 July 1738. *Copy*, of No. 327. 1½ pp. [C.O. 5, 10, fos. 108-109d.]

415

August 16.  
Savannah.

Thomas Causton to Trustees for Georgia. By advices just now received from Mr. Horton dated 13th inst. I am informed that the Spaniards are in possession of St. George's Island; that he keeps one of the boats lately sent thither to give me further advices and has desired a supply of powder and bullets; and that I would engage a party of Indians which he is apprehensive may be serviceable on the main. I wrote the enclosed letter to the president of council of South Carolina.<sup>1</sup> I shall endeavour to procure what Mr. Horton desires but as we have very little powder or bullet in any of your stores, I very much doubt if any powder I can get from Carolina will be good. I shall not fail to transmit to you further advices when it shall come to my knowledge and to use my best endeavours for the public safety. *Signed*. 1 small p. *Endorsed*, Recd. 19 March 1738/9. [C.O. 5, 640, fos. 150-151d.]

416

August 16.  
Savannah.

William Stephens to Harman Verelst, by Capt. Coe. On 25th ult. I sent a packet jointly with another from Mr. Causton containing various letters to the Trustees, yourself and many others with intent it might go by a ship which my correspondent at Charleston had advised me was upon sailing; but by reason of my waiting some days longer than I would willingly have done till Mr. Causton was ready, the packet (as I feared) came too late to Charleston and the ship was sailed, which I was further advised of and that there was another would be going soon by whom he would send that packet. Whilst I was meditating to be timely enough with another letter that might possibly go by the same ship in company with my former, we

<sup>1</sup> Not found.

are this instant informed by letters from Frederica that the Spaniards have actually taken post on St. George's Island, which by the late agreement betwixt Mr. Oglethorpe and them was to stand as a barrier betwixt the two provinces till the two crowns had farther stipulated what was to be done and to be possessed by neither, whereupon Mr. Oglethorpe in pursuance of that agreement withdrew what guard he had at that time upon the said island of St. George. But in violation of that agreement they have now possessed themselves of it, built a kind of barrack or hut for the present to cover their men and have a sloop lying near them as a guard-ship to command or annoy any vessels passing that way, which we are likewise informed they have begun to put in practice by firing on a boat of ours wherein were some people under the direction of Hugh Mackay, junior, who lately commanded at St. Andrew's and who was now going in search after two or three of our people that deserted and are supposed to be gone off to the Spaniards. Mr. Causton writes by this same conveyance to Charleston a full account of all which he thinks needful to be laid before the Trustees, which though I can add nothing to, I should expect to be thought asleep did I not also transmit such intelligence as comes to hand be it of more or less moment.

Our people are no ways startled at this enterprise but seem to put on an air of contempt; and I really think in case we were put to the trial we should find good hearts plentier than ammunition stores, whereof they write for a supply at Frederica and Mr. Causton writes for assistance of that kind from the government of Carolina at the same time that he advises them of this insult. Surely we shall know more shortly. At present (not having heard one word from England since in May last by letters dated in February) all that we can learn of what they are doing in Europe is by the way of the Leeward Islands or from the Northern Plantations, from both which places we hear that our general with the remainder of his regiment is on his passage hither. How welcome he will be you will easily judge and how acceptable a little good news from our friends in your part of the world would be to us, I leave you to guess. Time will not allow me to add more. This goes by a chance trading boat just setting off for Charleston and how long or short a while it may wait there for a conveyance to England I know not. *Signed.* 1½ pp. *Endorsed, Recd.* 19 March 1738/9. [C.O. 5, 640, fos. 152-153d.]

417

August 17.  
Jamaica.

Governor Edward Trelawny to Duke of Newcastle. About three weeks ago I received a complaint from Daniel Bloom, master of the brigantine *Turtle Dove* of New York, against Capt. Michel commander of a French *guardacostas* belonging to Hispaniola for seizing and plundering the said brigantine; as also at the same time another complaint from John Tristram, master of the *Elizabeth* of Liverpool, against the said Michel for seizing his ship and carrying it into Leogan where the council condemned it as a lawful prize but allowed him two months to come to this island and get security for the ship and cargo in case sentence should be confirmed in Old France. Copies of Tristram's deposition and Bloom's protest go enclosed. On 1st inst. I wrote to M. de l'Arnage, lieutenant-governor of Hispaniola, by Capt. Douglas in H.M.S. *Falmouth*, copy enclosed. On his return I will inform you what success he meets with. *Signed.* 1½ pp. *Endorsed, Recd.* 21 November. *Enclosed,*

417. i. Protest by Richard Nicholls, notary public, on 9 June 1738 at New York at the instance of Daniel Bloom, master of the brigantine *Turtle Dove* owned by James Searle & Co. of New York. Bound from Jamaica to New York, the brigantine was attacked on 1 May last off Cape Nicola and about six leagues from the shore by a French sloop of 24 guns and 120 men commanded by one Michel. The *Turtle Dove* was seized and taken into Leogan in Hispaniola and her crew put in gaol. She was declared by the court there to have been unlawfully taken and Daniel Bloom re-



covered possession of her. He found gold and silver money missing and other damage to the value of 100*l.*, together with personal effects of passengers and crew missing to the value of 159*l.* For all these he could obtain no redress. He sailed from Leogan on 15 May. Daniel Bloom, John Millow mate, William Burns and William Dawson, mariners, Peter Vallete and John Bell, passengers in the *Turtle Dove*, made oath on 16 June 1738 that the above facts were true. *Copy.* 5¼ *pp.*

417. ii. Governor Trelawny to M. de l'Arnage, Lieut.—Governor of Hispaniola; St. Jago de la Vega, 1 August 1738. Enclosed is copy of protest of Daniel Bloom against Capt. Michel. I make no doubt but you will cause the strictest examination to be made into the affair, so that all delinquents may be detected, justice done, and ample restitution made. I have likewise received another complaint from John Tristram whose deposition is enclosed herewith. Such actions tend to the breaking of the peace and treaties now subsisting between the two countries, liberty of navigation being one of the great ends that they are framed to establish. This letter will be delivered by Capt. William Douglass of H.M.S. *Falmouth.* *Copy.* 2½ *pp.*

417. iii. Affidavit sworn at Jamaica before William Henry North, 29 July 1738, by John Tristram late master of the *Elizabeth* of Liverpool. About 18 May last deponent sailed from Jamaica for London with a cargo of sugar, cotton and mahogany plank of the growth and produce of this island. Through calm weather and contrary currents he was 31 days before he came up to the west end of Hispaniola, the usual course taken by ships navigating through the windward passage, and had expended about one-third of the water on board. About 20 June, lying about one league from land near Donna Maria May, a place where ships from Jamaica to Great Britain usually take in fresh water, the *Elizabeth* was stopped by a *guardacostas* commanded by Capt. St. Michael, and taken to Leogan. There deponent and his crew were kept in prison for 10 or 12 days. Soon after their release deponent was informed that the *Elizabeth* and cargo had been condemned; but he was given two months to go to Jamaica to get security for their value so that he might have his ship and cargo again and the cause be tried in Old France. *Copy.* 2¼ *pp.* [*C.O.* 137, 56, *fos.* 122–131*d.*]

418

August 21.  
Bermuda.

Governor Alured Popple to Duke of Newcastle. I landed 9th of last month and published my commissions in the usual form the next day. I likewise issued a proclamation for continuing all officers civil and military in their respective posts till further order and writs for calling a new assembly who met 7th of this month and passed three Acts, the one to settle 140*l.* this country money (equal to 100*l.* sterling) on me during my government here in lieu of such advantages as accrued to former governors from the liberty allowed them of granting licences for the fishery of whales, the second and third to make additions to my salary of 240*l.* a year during my government. As these Acts are entirely consistent with 26th and 27th articles of my instructions I hope they will meet with your approbation. I enclose copies of these Acts, of my speech to the general assembly and of the addresses of the council and assembly in answer thereto. As I have not been long enough here to be enabled to give you so exact an account of these islands as I hope to do, you will excuse my finishing this letter with an account I received from Mr. Brownlow, master of a sloop who lately came hither from Rhode Island. He informed me of Mr. Trelawney's arrival at Jamaica and that the Spanish *guardacostas* had pillaged four English vessels coming through the gulf who for fear of condemnation threw their money overboard on sight of the Spaniards. Mr. Brownlow likewise informed me that the French governor at Martinique had given the liberty of an open trade between that island and Rhode Island for one year, that French vessels traded openly at Rhode Island, and that the Custom House

officers there did not intermeddle. I do not pretend to surmise what may be the consequence of a trade so contrary to the treaties between England and France. *Signed.* 1½ pp. *Endorsed*, Recd. October. *Enclosed*,

418. i. Address of Governor Popple to Council and Assembly of Bermuda. 1½ pp.

418. ii. Address of Council of Bermuda to Governor Popple, 8 August 1738. 1 p.

418. iii. Address of thanks of Assembly of Bermuda to Governor Popple, 8 August 1738. 1 p. [C.O. 37, 29, fols. 82-83d, 86-91d.]

419

August 21.  
Bermuda.

Same to Andrew Stone. After a long passage of eight weeks from the Land's End I landed here 9th of last month and have not before now had any opportunity of writing to any friends in England. I hope therefore you will not have thought me forgetful when I assure you that one of my greatest pleasures here would be a more frequent correspondence than is possible to be kept up in this place because sloops from hence do not go directly to England more than twice a year. You will see by my letter to his grace what I have done since my landing or more properly speaking what the assembly have done for me. The cheerfulness and unanimity with which they made my settlement have given me much more satisfaction than twice the sum obtained by dispute and party. Every person who, as you must remember, threw up their commissions in my predecessor's time have taken them again, and I flatter myself with the prospect of a very agreeable retirement. The want of conversation of some friends I have left behind is a great alloy to the pleasures this place would otherwise afford. But as I am determined never to forfeit their friendship I hope the present distance between us will not put me out of their memories. If I should be guilty of any errors in my correspondence with his grace I rely on your good nature in putting a favourable construction upon them. This will be an addition to the many obligations I am already indebted to you for but I must yet add to the list by desiring you will allow my brothers to wait upon you when they have anything to trouble you with from me. *Signed.* P.S. Minutes of council and assembly not yet fairly transcribed. 1¼ pp. [C.O. 37, 29, fols. 84-85d.]

420

August 21.  
Bermuda.

Same to Council of Trade and Plantations reporting arrival in same terms as No. 418 and enclosing three Acts passed by the assembly. The first is for laying a duty of 14*l.* on every old whale and for paying to me 140*l.* per annum which with the exchange is equal to 100*l.* sterling and the surplus of the duty imposed by this Act is applied by the Act to the country's use. The second Act lays a duty of 3*d.* per ton on all vessels but English, 2*s.* on every bachelor above 21 years old, and 5*s.* on every horse, mare or gelding; and the treasurer by this Act is to pay me annually 140*l.*, the overplus being applied as in the aforementioned Act. The tonnage duty commences in May 1739 and the other duties from May 1740 because by an Act passed during the late president's administration the same duties are laid and are to continue till the time these duties commence. The tonnage duty by the former Act is imposed equally on all vessels without excepting those belonging to England but as that duty expires in May next, as no English vessel has been here since excepting the ship in which I came and which was excused paying that duty, and as no ship is expected in that time, I beg that that Act may be suffered to expire. As I am no way concerned in point of interest, my salary being to be paid whether that Act be repealed or not, I have undertaken to represent thus much to you, and I do assure you that I will never give my assent to any Act contrary to my instructions either in this respect or any other.

The third Act for paying me another 100*l.* a year I must confess might as well have been included in the second Act I passed. But as the assembly desired to have two Acts



and as by the 27th article of my instructions I am allowed to take such sums as the assembly should by any Act or Acts think fit to settle upon me, provided such addition be made for the whole time of my government and by the first assembly I should call, I made no difficulty in giving my assent to the Act. I hope therefore these Acts will meet with your favourable report upon them.

Mr. Dinwiddie who has been collector of the Customs here for many years has now obtained the office of surveyor-general for the southern part of the continent, Jamaica and the Bahamas. Mr. Walpole obtained this post for him, knowing him to be a man of integrity and a skilful officer. He is one of the council here where he is likewise very much concerned in point of property. As it will be very agreeable to him and the people here if Bermuda be made a branch of his district instead of Mr. Dunbar's, I beg to add my reasons why I think this change would be of advantage. Mr. Dunbar since his first appointment has never been here to discharge this part of his duty and by being one of the council in ordinary constantly occasions a vacancy at that board. Whereas if Mr. Dinwiddie should have Bermuda added to his district, his desire to discharge his duty in every place, the settlement of his family here and the property he has in this place would engage his attendance here about three months in the year when he could likewise discharge his duty as councillor. Mr. Dunbar is no way concerned in interest in what I have now proposed; if he was, I should not have mentioned the change. I enclose a proposal I received from Mr. Dinwiddie relating to the introduction of British coin in H.M.'s American dominions. The facts he mentions are so known that I have nothing to add to it but my wishes for its success. I send you a French bitt and half-bitt as they are called here, these and other foreign silver which passes for weight are the only silver pieces of money we have here.

The little time I have been here has not yet permitted me to acquaint myself so thoroughly with the people of this place as to be able to recommend to you six persons proper to be appointed councillors in Bermuda according to my proper instructions. I shall therefore for the present only mention three gentlemen whose characters here give them a title with your permission of sitting at the council board; their names are Nathaniel Bascome, William Riddell and John Harvey. The first is speaker of the assembly, the second is a justice of the peace here and a gentleman of a good family, and the third is one of the puisne judges. As soon as I am better acquainted with the characters of the people here I will send you a more complete list. *Signed.* 3½ pp. *Endorsed,* Recd. 17 October, Read 18 October 1738. *Enclosed,*

420. i. Address of Governor Popple to Council and Assembly of Bermuda. 1½ pp.

420. ii. Address of Council of Bermuda to Governor Popple. 1 p.

420. iii. Address of Assembly of Bermuda to Governor Popple. 1 p. *Endorsed,* as covering letter.

420. iv. Bermuda, 17 August 1738; Robert Dinwiddie to Governor Popple. It has for some time given me surprise and uneasiness to observe the introduction of French coin to the British colonies where they pass current by tale and undoubtedly is an obvious profit and gain to the importer, for they pass for very near ten per cent. more than the usual exchanges from this or Leeward Islands to London. I therefore having seriously considered the advantages that may accrue to this revenue if H.M. should think proper to honour his dominions in America with his own coin.

I observe by the annexed account that H.M.'s military appointments in America amount to 61,195*l.* 18*s.* 4*d.* or thereabouts. I therefore propose that this expense for one year may be paid by a new coinage to be sent to each colony where the appointments are and have made the following calculations on 60,000*l.* from the enclosed piece of money, which allow to be current here at 8*d.* and at Leeward Islands at 9*d.*,

shall draw my calculate from them. The piece of money weighs 42 grains. If 42 grains yields 8*d.*, 480 grains or one ounce yields 7*s.* 7 $\frac{3}{4}$ *d.*, and if 5*s.* sterling gives 7*s.* 7 $\frac{3}{4}$ *d.*, 240,000 ounces or 60,000*l.* sterling will give 91,428*l.* 11*s.* 5 $\frac{1}{4}$ *d.*, and 60,000*l.* sterling at the current exchange of 40 per cent. from this to London amounts to 84,000*l.* So that by a plain demonstration there will be a gain of 7,428*l.* 11*s.* 5 $\frac{1}{4}$ *d.* Bermuda currency which is (the exchange being at 40 per cent.) sterling 5,306*l.* 1*s.* 10 $\frac{1}{2}$ *d.*

For Leeward Islands. If 42 grains passes for 9*d.* and if 5*s.* sterling gives 8*s.* 6 $\frac{3}{4}$ *d.*, 240,000 ounces or 60,000*l.* sterling will give 102,857*l.* 2*s.* 10 $\frac{3}{4}$ *d.*, and 60,000*l.* at exchange of 57 $\frac{1}{2}$  per cent. from thence to London will give 94,500*l.* So by this it's plain there will be a gain of 8,357*l.* 2*s.* 10 $\frac{3}{4}$ *d.* Leeward Island currency, which is (the exchange being at 57 $\frac{1}{2}$  per cent.) sterling 5,306*l.* 2*s.* 5 $\frac{1}{2}$ *d.*

And am very well convinced if the money be coined of the value of the enclosed it will give general satisfaction, be a great ease to trade and service to each private family. I at the same time conceive it absolutely necessary to have each piece milled and laws to prevent clipping or defacing of the coin; if thought proper  $\frac{1}{2}$ -bitts for change as also double bitts, quadruples and 8-bitt pieces; all coined in proportion to above estimate, which will be readily received among the Plantations and go current in proportion to the enclosed bitt. No doubt it will be judged proper on the adverse of H.M.'s head a designation relating to the British colonies and a proper distinction on each piece, vizt. figure 1 for one bitt, 2 for two bitts, 4 for four bitts and 8 for eight bitts or pieces of eight.

This for some time has been my earnest intention to lay before the proper boards at home. But as my friends have procured me an appointment that probably may keep me some years in America I give you the trouble of perusing it. I beg you will send it home. *Signed.* P.S. Military appointments and charges in the British colonies in America. Regiment at Leeward Islands, 9,775*l.* 18*s.* 4*d.*; regiment at Annapolis Royal, 9,830*l.* 13*s.* 4*d.*; garrison at Annapolis, Placentia and Canso, 2,539*l.* 1*s.* 8*d.*; 4 companies at New York, 7,141*l.* 16*s.* 8*d.*; 2 old companies at Jamaica, 3,841*l.* 12*s.* 6*d.*; 6 new raised companies at Jamaica, 11,524*l.* 17*s.* 6*d.*; 1 company at Bermuda, 1,003*l.* 15*s.*; 1 company at Providence, 2,466*l.* 15*s.* 10*d.*; 1 company at South Carolina, 3,071*l.* 7*s.* 6*d.*; 1 regiment at Georgia, computed 10,000*l.* Total, 61,195*l.* 18*s.* 4*d.* 2 *pp.* *Endorsed*, as covering letter. [C.O. 37, 13, *fos.* 54-65*d.*]

421

August 22.  
Savannah.

Samuel Holmes to Benjamin Martyn. Having been in Georgia for twelve months I have carried on the bricklaying and brickmaking manufactory and brought it to that perfection that I make as good stock bricks as can be made in England. I have made more than 100,000. If the Trustees would furnish me with servants on credit I shall carry on the manufactory with courage and faithfulness. John West, jointly engaged in brickmaking, uses me ill. I have a great many good friends both noblemen and gentlemen but have not written to them by reason I would not give the Trustees any trouble. James Brown, the City bricklayer who lives in Crooked Lane, will give a character of me; Mr. Whitefield will not speak amiss of me. Mr. Causton is civil to me because he sees me inclinable to work. *Signed.* *Illiterate.* 1 $\frac{1}{2}$  *pp.* [C.O. 5, 640, *fos.* 154-155*d.*]

422

August 23.  
Georgia Office.

Benjamin Martyn to Andrew Millar at Kingston, Jamaica. The Trustees have received your letter of 26 May 1738; they think it reasonable you should go to Georgia with the ipecacuana you have got. But as nothing appears to have been done for the money which they have already paid they cannot charge themselves with any further expense on that account. They are sorry to



find that you don't mention any other plants but the ipecacuana for Georgia: they hope if you have any others the colony will have the benefit of them as well as your other subscribers since the principal intention of your going was for the benefit of that province. Entry.  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 103.]

423

August 23.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received receipt from Bank for 300*l.* paid in 15th inst., being so much received by hands of Amos Callard of New Inn, only surviving trustee under the will of Timothy Wilson, out of charity money to be disposed of by that will. Read H.M.'s instruction to the Trustees dated 21 July last to prepare a proper Act or ordinance for settling the trade carried on by the provinces of South Carolina and Georgia with the Indians on such a footing as may be for the mutual benefit and satisfaction of both the said provinces, H.M. having at the same time given an instruction to Samuel Horsey, governor and lieutenant-general of South Carolina, to recommend to the council and assembly there to pass a law for the like purpose in that province. Samuel Horsey being since dead, resolved that a letter be sent to Gen. Oglethorpe to acquaint him therewith and that the Trustees are desirous of having proper measures concerted for preserving the peace with the Indians by licensing fit persons under the like reasonable securities and instructions for regulating their trade with the Indians in both provinces and that for that end he would consult with Lieut.-Governor William Bull for appointing persons to settle the boundaries of each province and the nations of Indians within each boundary, that the number of traders against the number of Indians in both provinces should be computed to settle the nations which one licenced trader can supply, and the nations which require more traders than one to supply them, and that one-half of the said traders might be licenced by the commissioners for South Carolina and the other half by the commissioners for Georgia, and that the plan of proper Acts might be prepared and sent over to the Trustees for their consideration to answer the purposes of H.M.'s said instruction; and that in the meantime the commissioners of South Carolina and Georgia may proceed in their respective provinces in concert with each other to carry on a mutual trade to the Indians in both provinces. 2 pp. [C.O. 5, 687, pp. 92-93.]

424

August 25.  
Georgia Office.

Harman Verelst to General James Oglethorpe by *Minerva*, Capt. Nickleson, with copy of No. 406. The Trustees acknowledge receipt of yours from Madeira. The 19th inst. Governor Horsey after a short illness died, and the Duke of Newcastle's letter relating to Mr. Wragg's demand on the province of South Carolina will now stand directed to Lieut.-Governor Bull, out of which demand the Trustees are entitled to 37*l.* 7*s.* 9*d.* sterling received of the passengers on board the *Three Sisters* in Holland and made good to them in Georgia, which Mr. Wragg agrees to be answerable for out of that money when received from South Carolina, whereof the Trustees desire you will acquaint Lieut.-Governor Bull.

Last Wednesday the Trustees met and considered of H.M.'s instruction relating to the trade with the Indians in Georgia and herewith you have a copy of their minutes and resolution thereupon; which they recommend to you to get adjusted with the present lieutenant-governor that amity may be settled to the mutual interest and benefit of both provinces. Had Governor Horsey lived they did not doubt of that end being obtained nor have they less reason to doubt of the good will of Col. Bull to co-operate with you in those propositions which may be best conducive to an happy union with the provinces and preservation of peace with the Indians. The same day which Governor Horsey died the Master of the Rolls died also in Hertfordshire. As he was a great benefactor and friend to Georgia in his lifetime it is possible he may have remembered that province in

his will which will be examined for that purpose when brought into Doctors Commons.

Lieut.-Col. Cochran's sergeant, Mackenzie, taking his passage to Georgia on board the *Minerva* by way of Charleston and taking care of those things shipped for the Trust, the following are the particulars under his care for Georgia to be delivered to Thomas Jones or in his absence to William Stephens and Henry Parker. Eleven chests. [*Details of contents given.*] *Entry.* 1½ pp. [C.O. 5, 667, fos. 101d, 102.]

425

August 25.  
Georgia Office.

Same to William Stephens enclosing copy of No. 412, and copy of bill of lading of 62 parcels consigned to Messrs. Crockatt & Seaman at Charleston by the *Minerva*, Capt. Nickleson, who were desired to forward the same to Thomas Jones at Savannah or in his absence to yourself and Henry Parker. [*Details of contents given*] The Trustees condole with you for the loss of your sincere friend Governor Horsey. *Entry.* 1 p. [C.O. 5, 667, fo. 102d.]

426

August 25.  
Georgia Office.

Same to Rev. George Whitefield sending duplicate of last letter and acknowledging receipt of letter of 2 June last advising of your draft to Capt. Whiting for the subsistence of the five heads on the Trust account amounting to 20l. 13s. 4d. which I have paid to his wife. The Trustees are very glad to hear of the willingness of the people at Savannah to attend your ministry and they with you hope for their edifying thereby. *Entry.* ½ p. [C.O. 5, 667, fo. 102.]

427

August 26.  
Savannah.

Thomas Causton to Trustees for Georgia. The account mentioned in my letter of 25 July concerning the uneasiness of the Indians in the Creek nation has a better appearance, Thomas Wigan the trader having informed me that those Indians continue very well disposed towards the English notwithstanding they are closely courted both by French and Spaniards. I believe I may venture to say that there is more dependance on his accounts than what is related by others, and I can find by him that the traders from Carolina and those who claim their protection have done a great deal of mischief which probably may deserve punishment.

Capt. Roger Lacey died here 3rd instant, being returned from Augusta two days before. He had been a long time ill and subject to frequent fainting fits supposed to be nervous, occasioned by drinking too liberally. Mr. Lacey was incapable of giving any account of affairs at Augusta but Lieut. Kent advises that crops there will not answer expectation by reason of the excessive droughts, and believes they shall raise 100 bushels of corn, that the people are now in good health, and desires that the garrison-boat may return loaded with provisions and ammunition. Mr. Lacey being dead (at the request of the widow) I dispatched a messenger to the lieutenant to take care of his effects. At a general court held 7th July, Joseph Hetherington, Phillip Bishop and Francis Elgar, servant to Mr. Lacey, were indicted for killing and destroying sundry cattle and feloniously stealing the flesh thereof. The (now) widow Lacey was also indicted for receiving part of the said flesh, knowing it to be stolen. Hetherington, Bishop and Elgar, upon full proof, were found guilty on some of the indictments, and having requested that the rest might not be proceeded on till they should write to the Trustees and receive their answer, the court ordered proceedings to be stayed. Mrs. Lacey desired that the prosecution against her might be delayed, and the court considering the absence of her husband and the ill state of his health granted her request and admitted her to bail.

Believing it to be necessary you should be particularly acquainted with the proceedings of the court, I have (once more) assisted in drawing up those proceedings though I beg leave to say that the variety of business so much takes up my thoughts and time that I would willingly avoid acting in that manner, believing it more properly belongs to the



recorder. Neither should I have mentioned thus much now, had not said Hetherington and Bishop lately broken gaol through the top of the privy and with them Thomas Wright, the Indian trader, who I lately mentioned to be in custody. The magistrate issued a warrant for a hue and cry to be published and a reward of 10*l.* sterling for retaking each of them, and as the fugitives would (very probably) raise reflections on the colony as a pretence for their leaving it I desired Mr. Alexander Rantoul to publish in the *Carolina Gazette* the fact relating to them. It is generally believed that this prosecution affected Mr. Lacey's health but my enclosed<sup>1</sup> to him on that melancholy occasion will show the care I took to prevent (as much as possible) the ill impression it might make. It is too notorious that the convicts were very bold in their practice of killing cattle and that Mrs. Lacey is also guilty of the charge and other ill-conduct. The killing of cattle (as appears by this and other prosecutions now depending) is most evidently brought into practice; the magistrates have therefore resolved to apply to you for remedies suitable to the circumstances of the people. I shall not fail to advise and comfort the widow in her affliction now truly felt, and (if possible) guard her from evil councillors.

On 16th inst. I thought it necessary to dispatch the enclosed to you and I now enclose an extract of Mr. Horton's letter to me as a reason for those dispatches as also those then sent to the president of H.M.'s council of South Carolina<sup>1</sup>. On 19th inst. I received from Capt. Gascoigne (who that day arrived at Tybee intending to wait the arrival of Gen. Oglethorpe) the enclosed copy<sup>1</sup> of Ensign Hugh Mackay's letter to Capt. Hugh Mackay containing an account of the Spaniard's behaviour, which letter was the sole occasion for what Mr. Horton had advised. And as it appears thereby that Mr. Horton was much mistaken I thought it my duty to transmit a copy. Mr Horton himself arrived here 24th inst. and assures me that the report of the Spaniards being in possession of St. George's Island is wholly groundless, that the firing on Mr. Mackay by the Spaniards was from the main near their lookout, and that there is no appearance of breach of treaties or uncivil behaviour from them. I enclose also copy<sup>1</sup> of my letter now sent to the president of H.M.'s council at South Carolina. *Signed.* 2½ pp. *Endorsed,* Recd. 13 December 1738. [C.O. 5, 640, fos. 160-161*d.*]

428

August 26.  
Savannah.

William Stephens to Trustees for Georgia. My last was of 25 July, duplicate sent and continuation of journal to this day, to fulfil the promise as well as I can which I made of transmitting a particular account of the several plantations within the district of this town. I have now also enclosed a short list of the number of acres planted and by whom, which without doubt you will think a short list indeed. To me it is surprisingly so, but be it what it is I came here not to put false colours upon anything nor to represent matters otherwise than I find them, and the sure way to come at truth I saw was not to give too hasty credit to more than one seer in such things, which I have carefully observed and taken some pains to discover how easily I might otherwise be imposed on, for too many are ready and willing to set an equal value on their performances with those who have taken much greater pains. The distraction I found among all when I first came here, and such a grown indifference with it of meddling with cultivating land among too many, gave me sad apprehensions of the consequence till towards spring after that frenzy was abated, finding I went on to clear land with what strength I had, they began more readily to listen to my persuasions, when on a sudden a new spirit seemed to spring up and with great pleasure I observed a pretty many set heartily to work whom I had little hopes of any good from. This was so apparent that it soon grew to be the common opinion of

<sup>1</sup>Not found.

such as I thought good judges we should see great things done; and from thence it was that I remember I was grown very sanguine in what I wrote you thereon. But now it's too plain that before they took up that good disposition winter was near over (the proper time for felling trees) and time lost was not to be recovered.

Thus far I thought necessary to say, partly in my own excuse for being at one time more credulous than I thought it would become me to be now, when we are come to facts. You will doubtless observe that in this list it does not appear above a fourth part in number of the freeholders lots have any plantations on them, and it is as easily seen likewise who began in good time, though it's but justice due to some of the occupiers to say that when a poor man has wrought by himself or perhaps with his wife or little boy to help him only, in such cases a few acres well planted I humbly conceive deserve equal commendation with those who have exceeded in strength. That you may have a thorough insight to the bottom of all pretensions of this sort among us, I shall in my next extract another list of such as have at sundry times cleared several acres of land, some of which has never yet been planted, some planted and for want of success thrown up and neglected, and some who may yet be deemed useful men in the colony divers ways, notwithstanding they are hitherto no planters, to which I shall also add a few who have made signal improvements by building, brickmaking or other laborious manufacture, and then leave the rest whom little can be said for to be ranked among the vacant lots, and better were it if theirs were such. Could a reasonable computation be formed of what might be expected from the produce of this list (short as it is) together with the several distant plantations which I have sent in my former, even from thence might be drawn an agreeable conclusion. But what I troubled you with in my last concerning the disappointments we were fallen under as well from the long drought as from our seed proving otherwise than we hoped, makes it needless to say more of it here, I wish I might have said less.

To pass from the plantations to your public gardens will give as little satisfaction, where I fear a relapse near to the state I found it in at my first coming, which with some care and pains was then altered much and gave hopes of seeing better things as the spring came on. But of late I think it is grievously neglected. I presume Mr. Anderson wanted no instructions in what he was to undertake, and as I observed he was pretty active for a season in directing what he thought needful, I am far from thinking his discontinuance of it would have been voluntary; but (poor man) he and all his family have been very long (some months) in a very weak and sick condition which yet so far continues as to call for the prayers of the church. But the principal gardener under him, one Fitzwalter, a freeholder of this town, deserves certainly the character of an idle fellow, and as he could never stick long to anything commendable he perseveres in the same loose way of life which I apprehend he will not easily break from now, having married the widow of one Wright who had a licence for keeping a public house where he naturally takes most delight. But I ought to beg pardon for offering such an insipid tale when I should remember that Col. Oglethorpe (as we hope) is near us who wants neither will nor power to rectify worse abuses than this, though the fewer he finds the better. I commit the care of this to Mr. Whitefield whom indeed I should be sorry, as well as many others, to part with were it not that we hope to see him in these parts again confirmed to make his abode where he is so much beloved and so capable of doing much good. *Signed.* 2¼ small pp. *Endorsed,* Recd. 13 December 1738. [C.O. 5, 640, fos. 158-159d.]

429

August 26.  
Savannah.

William Stephens to Harman Verelst. Since mine of 25 July to you wherein were enclosed divers letters and papers as specified in that letter, I wrote you again of 16th inst. a full account of such advices as



we had just received from the south relating to the Spaniards and being a matter of importance (as was apprehended at that time) I desired it might be laid before the Trustees; though, had it proved such, probably our enemies might have done what they intended long enough before more help came from our friends maugre all the opposition that could be given them. Mr. Causton wrote at the same time to the like purpose and indeed it was universally believed in these parts that we were at last to expect such a visit from the Spaniards as had been given out often. But, behold once more, that story like some others ended in nothing and the truth very soon came out, even before our letters had been gone 24 hours, as you will observe by my journal of 19th and other accounts which you will receive of that tremendous affair. At this very time we hear from Charleston that a squadron of Spanish men-of-war of 50 or 60 guns from Old Spain are newly arrived at Havana and that it portends a design upon these provinces. But why so? Have not we got as good a squadron as they in the West Indies? And in case of a rupture expected, it is but reasonable to suppose they will be on their guard at least. No doubt but these things will come to some eclaireissement soon, for when there has been such a long smothering of fire it cannot well be expected not to break out at last.

What in the name of wonder is become of our general? and those forces with him? We hear both from the north and south that such aid is coming from the east, and the last account of them comes by a brig which spoke with them (as it is said at Charleston) at the Madeiras. So we prick up our ears and look out big with expectation every day what we may hear more or see before night. Would to God they would come and bring us a little good news from our friends in England and the Spaniards shall give me very little trouble. Surely I shall then meet with some token or other of the Trustees' sentiments concerning their secretary who has never yet been so happy. I will not doubt it after that very kind expression they were pleased to make use of when I last waited on them, that they expected I would write my mind freely and believe I wrote to my friends. I have sometimes thought that it would appear both by my journal and letters I was not mincing matters, which is an evident mark of my relying on their candour. But of these things I shall be better able to say more when I know more, wherefore I forebear troubling you with many words now but beg leave to bespeak the liberty of writing more particularly another day to you whom I have an entire confidence in. Only one little affair requires to be said something of, which is that by a letter my son received from Mr. Wragg lately, he made a demand of 50/. currency of him, being so much he had supplied him with on his coming ashore at Charleston in that manner he did last winter, which Mr. Wragg desires may be paid him in sola bills for that he cannot make charge of it to the Trustees. My son tells me that in the distress he then was he wrote you of it but did not presume to draw a bill (wherein he was right), not doubting but you would have been pleased to take proper notice of it. But such small things are easily forgot and therefore now I ask leave to remind you of it, promising myself that it was not meant my son or I should meet with such a welcome at first coming to Charleston, but from what Mr. Causton tells me he apprehends Mr. Wragg might very properly have made charge of it in his account. Herein you will be so good to advise me.

What can I say about my good friend Col. Horsey, not knowing where to find him? Pray let all whom you see that have any share in his family know that the respect and value I have for him and his can never be extinguished. Possibly he may now be on the sea in his way to his government. Providence has not been unkind to him in keeping him so long back, for the smallpox has made such destruction at Charleston this summer that the place is almost abandoned and desolate, and the assembly lately met for the dispatch of necessary business at Port Royal. I am told they have at times buried 70 white

people at Charleston in a week. I believe the season was never known hotter than of late here after a healthy summer so that agues and fevers begin to abound among us. But I hope the return of moderate weather will bring health again to both provinces and then how happy should I be to hear Col. Horsey himself tell me he left Mr. Verslst and all friends well. *Signed.* 1 $\frac{1}{2}$  pp. *Endorsed,* Recd. 13 December 1738. [C.O. 5, 640, fos. 156-157d.]

430

August 28.  
Savannah.

Patrick Grant to Trustees for Georgia Your concern for the welfare of this colony first induced me to apply to James Oglethorpe for lands. Though known to none of you besides him, I take upon me to re-

present to you some very great grievances and first those which only relate to myself. On 25 May last, being a grand juror duly sworn to enquire into the death of one Priest supposed to have been killed by John Brown of Highgate, having met Mr. Parker, bailiff, in the public street, he bid me adjourn the court; and upon my answering that it was not my duty he called me several ill names and threatened me, to which I made no reply, but finding Mr. Parker in a very unfit condition to be reasoned with, I civilly left him and directly went to acquaint Mr. Jenkins, whose duty it was, with whom I returned to witness the adjournment of said court. But before we got to the court-house Mr. Parker informed us that the court was adjourned by Robert Hows, tithingman, and after insulting me in the presence of Mr. Jenkins, Mr. Ormston and several others with very opprobrious and scurrilous language without the least provoking answer upon my part he assaulted with a cane which he got out of the hands of Mr. Christie, recorder, who run in upon, seized and struck me at the same time. During all this time I only acted defensively and never struck a blow. I was then imprisoned, bail being refused. I was moved to another prison where all the lights were nailed up and confined there for 14 days without light. I fell sick there and my physician was debarred access for several days. The privilege of being in the custody of an officer at his house was refused me though given to Mr. Brown, committed for murder. Petitions to be examined and tried were rejected; I am informed private affidavits were taken against me by persons of infamous character. I was obliged to sign a recognizance for contempt of court in order to purchase my liberty. I undertake to prove the above propositions under pain of death. I am told that my refusing to adjourn the court in the public street is the same as if I had refused in the face of the court. My reasons for refusing were, first, there is an order of court that only the wards on guard where the court is held should be obliged to attend and no others; the ward to which I belonged was not on duty. Secondly, there is an order of court that no grand juror should be obliged to attend. Another reason is the bad usage I received from Mr. Parker who was then intoxicated with liquor.

I take it for granted that you have been informed of the general uneasiness and dissatisfaction which subsists among the people occasioned by the oppressive conduct and implacable temper of Thomas Causton, first bailiff, storekeeper and cashier, who by those latter offices in conjunction with the former has a dangerous power of alluring the minds of the weak by putting them under strong temptations to bias their judgments to gratify his passion and private resentments, and (upon the slightest affront, perhaps the tattle of some old woman) of punishing the most industrious by denying those necessary assistances to carry on their work. A very dangerous custom, I am informed, has lately obtained here, vizt. when Mr. Causton has any private quarrel with any person and in order to revenge the slightest affront, private affidavits are taken against that unfortunate though perhaps innocent person, which are sent home to England, by which means the character and reputation of that person is sullied in your opinion without the



least knowledge of the person concerned. Whether this be true or false I cannot pretend to determine; several well-meaning men are of that opinion who think it almost impossible that you can be rightly informed by reason of these clandestine affidavits. Whether there have been any taken against me I am not absolutely certain. If there are such and they contain anything contrary to the above mentioned, they are false and calumnious. The usage which I have received was entirely owing to private resentment. I beg that you will order a fair and legal enquiry. *Signed. 7 pp. Endorsed, Recd. 13 December 1738. With constable and tithingmen's and Edward Jenkins's certificates. [C.O. 5, 640, fos. 164-167d.]*

## 431

August 28.  
Savannah.

William Horton to Trustees for Georgia. As I now daily expect the arrival of Gen. Oglethorpe into this colony and then to deliver up the charge which he was pleased to leave with me relating to the southward part of it, I think it my duty to acquaint you of the situation I left it in four days past. The people of Frederica have and I thank God still do enjoy an uncommon share of health and I have taken some pains to keep a good harmony amongst them and therein have succeeded to my wishes for no set of people in their circumstances live in a more peaceable manner than they have done for many months past; they have cultivated as much land as they can take care of themselves but for want of servants have not been able to clear so much as their neighbours at Darien. The crops of corn at both places are very bad, the seed was far from being good, and the season proving very dry it is generally parched up. The gardens at Frederica are very flourishing and are great helps to the people. Your storekeeper there has acted with great integrity and his accounts which are now going to be settled with Mr. Causton in order to be transmitted to Mr. Verelst will make it appear.

In June last a Spanish launch with an officer and 15 men arrived at my house at Jekyl with a letter for me from the governor of St. Augustine acquainting me that a party of mulattos and Spaniards had deserted with a large canoe and desiring me to assist the officer in taking them, desiring also the continuance of a good correspondence. The officer went thence by sea to Carolina in pursuit of the men and in his return attempted to come within land by Frederica, but as they never have seen that fort I sent the scout-boat with orders to carry them back and not suffer them to pass within sight of the town, which was accordingly done and the officer brought again to Jekyl when Col. Cochran sent the governor advice of his arrival with the regiment. I am informed that advice has been sent to you that the Spaniards had taken possession of St. George's Island. Such a report came to Frederica but that island still remains neutral as agreed upon between the general and the late governor of St. Augustine. Ensign Hugh Mackay who was sent in pursuit of three deserters from Amelia had some shot fired at him by a Spanish sloop in St. Juan's River after the Spaniards had sent out a boat with a flag of truce which he would not speak to. *Signed. 2½ pp. Endorsed, Recd. 13 December 1738. [C.O. 5, 640, fos. 162-163d.]*

## 432

August 28.  
Savannah.

John West to Trustees for Georgia. For two years I have at great expense brought a brickwork to perfection so that I could now make 1,200,000 good stock bricks a year if there was call. I can deliver them to any part of Savannah at 25s. per thousand. I hope I shall have your encouragement as the first that ventured at it. I have this year made upwards of 200,000, with which several large stacks of chimneys are already built. We are pretty healthy now in general and want for nothing more than the sight of Gen. Oglethorpe. *Signed. Illiterate. 1 p. [C.O. 5, 640, fo. 168, 168d.]*

433

August 29.  
Boston.

Governor Jonathan Belcher to Council of Trade and Plantations. The last letter I received from you bore date above eighteen months ago, since which I find eight of mine that had reached

your hands. I shall esteem the honour of an answer when your more important affairs may allow. I have transmitted to you the journals of the House of Representatives of this province and the secretary has the several Acts and laws with the proceedings of H.M.'s council. I now enclose report of a conference with two of the tribes of Indians on the eastern frontiers of this province, where by the latest accounts I have received they remain peaceable and friendly though the inhabitants in some places have been frightened, as they have thought, by Indians about their houses in the night, upon which I expressed my orders to all the garrisons and to the people on the frontiers to be prudent and cautious as to themselves and yet to avoid as much as possible giving the Indians jealousy of their fears, for which I can't find they have any great reason. I could heartily wish that the affair of the settlement of the lines between this province and New Hampshire was expedited, that the borderers thereon might be quiet and easy in their possessions and labours. *Signed.* 3 small *pp.* *Endorsed,* Recd. 24 October, Read 25 October 1738. *Enclosed.*

433. i. Report of a conference with the Penobscot and Norridgewalk Indians in the Council Chamber, 28 June–6 July 1738. Present: the Governor and Council, Adeacunkee, principal of the Penobscot, Wiwurna, principal of the Norridgewalk, and eight others. The Indians complain of the commissions which make the Indians that have them exceedingly proud. They like the articles of peace. They complain of the truckmaster at George's and of the high prices of goods sold them; they would rather sell their beaver for money, even paper money, than for goods. They desire that supplies of rum should be limited to one quart a man and that Englishmen should keep to the lands within the bounds set. In reply the governor stated that he cannot control prices but that in other matters he will take care of the complaints and observe all treaties. *Copy,* examined by J. Willard, secretary. 25 small *pp.* *Endorsed,* as covering letter. [C.O. 5, 881, *fos.* 5–6d, 11–25d.]

434

August 30.  
Savannah.

Edward Bush to Trustees for Georgia. Mr. West has told me he purposes to leave off the blacksmith's business. If you will send over iron, coal and two servants I will undertake the work. *Signed.* 1 small *p.*

*Endorsed,* Recd. 13 December 1738. [C.O. 5, 640, *fos.* 170–171d.]

435

September 2.  
Southampton.

John Vanderplank to Benjamin Martyn, enquiring terms and conditions of settlement in Georgia. I can procure 10 or 20 servants and wish for 1,000 acres of land. *Signed.* P.S. If you have plan, map or

printed account of the place, please forward it to me. 2 *pp.* [C.O. 5, 640, *fos.* 172–173d.]

436

September 6.  
Barbados.

President James Dottin to Council of Trade and Plantations transmitting public papers. *Signed.*  $\frac{1}{2}$  *p.* *Endorsed,* Recd. 21 November, Read 28 November 1738. *Enclosed,*

436. i. Accounts of duties on liquors and negroes imported into Barbados for two quarters, 13 December 1736–13 June 1737. Number of ships bringing liquors: 14. Number of ships bringing negroes: 7. Number of negroes imported: 333. Gross receipts of duties including sums bonded: 911*l.* 18*s.* 4 $\frac{1}{4}$ *d.* 4 *pp.* *Endorsed,* as covering letter.

436. ii. Public account of Barbados for same period. *Signed,* John Bignall, Treasurer. 6 *pp.* *Endorsed,* as covering letter. [C.O. 28, 25, *fos.* 68–76d.]



- 437** Same to Duke of Newcastle, transmitting public papers. *Signed.* 1 p.  
September 6. [C.O. 28, 45, fos. 409-410d.]  
Barbados.
- 438** James Abercromby to Harman Verelst. By Mr. Whitefield I acquaint  
September 8. the Trustees with my being arrived here and having transmitted to  
Charleston. Mr. Stephens what I had in charge from them. By enclosed *Gazette*  
you will see the exact time notice was given in this province as to public credit in  
Georgia. Mr. Whitefield will inform the Trustees in person as to the state of their  
affairs. *Signed.*  $\frac{1}{2}$  p. [C.O. 5, 640, fos. 174-175d.]
- 439** Governor Lewis Morris to Council of Trade and Plantations. On  
September 11. 26 August I received H.M.'s letters patent appointing me governor of  
Perth Amboy. New Jersey. I published them at Amboy on 29th and at Burlington a  
few days afterwards. The people are greatly pleased with being governed by a different  
person from the governor of New York. I have ordered writs for the election of an  
assembly to meet on 26 October; and if a judgment is to be formed from the general  
satisfaction that at present appears I am not without hopes of a good issue from their  
meeting. They have warm desires and are big with hopes of carrying on a trade directly  
with Great Britain instead of receiving European commodities from their neighbours  
of Boston, New York and Pennsylvania. I wish their success may answer the expecta-  
tion, though I fear it will be a work of more time than they suppose. If they continue  
in the same mind when I know the methods they propose I shall communicate them to  
you for your further commands thereon. *Signed.* 1 p. *Endorsed,* Recd. 26 October, Read  
31 October 1738. [C.O. 5, 973, fos. 111, 111d, 114, 114d.]
- 440** Same to Duke of Newcastle acknowledging receipt of letters patent  
September 11. [as preceding]. *Signed.* 1 p. *Endorsed,* Recd. 3 November. [C.O. 5, 983,  
Perth Amboy. fos. 92-93d.]
- 441** J. Jones to Duke of Newcastle, renewing his request of 25 July last  
September 13. for a lieutenant's commission in one of the independent companies at  
Jamaica. *Signed.* 1 p. *Endorsed,* Recd. 31 December. [C.O. 137, 56, fos.  
132-133d.]
- 442** James Oglethorpe to Trustees for Georgia. We are now in the  
September 3. soundings off the coast of Georgia a good deal to the northward of  
Blandford. our port. Sir Yelverton Peyton in the *Hector* is going to leave us for  
Virginia and sends this letter. The officers, the men and their families are (God be  
praised) all well. *Signed.*  $\frac{1}{4}$  p. *Endorsed,* Recd. 24 November 1738. [C.O. 5, 640, fos. 176-  
177d.]
- 443** Same to Duke of Newcastle. I take the opportunity of Sir Yelverton  
September 13. Peyton who is just going to separate from us in the *Hector*, he being  
Blandford. bound for Virginia. The men are most in health and we have had a  
very happy passage to this place which by computation is about 30 leagues N.W. from  
Frederica, the port we are bound to. We have felt ground with the lead but have not  
yet seen the coast nor have heard news from thence. *Signed.*  $\frac{1}{2}$  p. *Endorsed,* Recd. 25  
November. [C.O. 5, 654, fos. 168-169d.]

444

September 14.  
Antigua.

Governor William Mathew to Council of Trade and Plantations. I send in a box recommended to Capt. Pipon's care duplicates of minutes of council of Antigua, 1 February 1736/7 to 26 May 1738; of minutes of council of Montserrat, 25 March 1738 to 24 June 1738; of minutes of assembly of Nevis, 15 July 1735 to 13 June 1737 and so on to 27 June 1738; and of minutes of assembly of Montserrat, 29 March 1738 to 17 June 1738. And to these I now add minutes [*In another hand*: originals] of council of St. Christopher's, 9 February 1737/8 to 20 July 1738. *Signed*. 1 small *p*. *Endorsed*, Recd. 7 December 1738, Read 10 January 1738/9. [*C.O.* 152, 23, *fos.* 169, 169*d.*, 173, 173*d.*]

445

September 16.  
New York.

Lieut.-General George Clarke to Council of Trade and Plantations. The enclosed accounts of numbers of people and of militia complete my answer to your queries. My son having signified to me your **commands** concerning the Bermudas petition against the Tonnage Act passed here in 1734, I have laid the matter before the council and assembly as it was an Act passed before I had the administration of the government; so soon as they furnish me with their reasons in support of that Act I will lay them before you. My speech to the assembly is enclosed. What they will do this year I cannot tell. But next year they must give H.M. such a revenue as former assemblies have given or suffer a large sum of their paper money to fall to the ground for want of a fund to support it. This is a staff which I now have in my hands and ought by no other means to part with than that of their giving such a revenue as I have asked; and unless a governor has now and then some advantage over these people he will find it difficult to bring them to reason and their duty.

The letter from the commissioners of Indian Affairs (copy enclosed) I received a few days ago and have sent it to the speaker to be laid before the house, desiring them to enable me to defeat the designs of the French. For if they possess themselves of the Wood Creek not far from which they built the strong fort mentioned in the letter at the Crown Point about five years ago, they will become masters of that part of the country, and in case of a rupture oblige all our planters to quit their habitations; and if they possess themselves of Tierondequat they will intercept all our western fur trade that centres now in Oswego and will by degrees become entire masters of the whole Six Nations. From hence you will perceive that these two posts are of the utmost importance to this and every other part of H.M.'s colonies in North America. I presume to think that these attempts of the French to settle on this side of the lakes and on any lands belonging to the Six Nations are no ways warranted by the treaty subsisting between the two crowns, and I fear that if some effectual method be not taken to obtain orders from the court of France forbidding the governor of Canada to pursue his intentions the little that this province will or can do may be ineffectual. *Signed*. 3 small *pp*. *Endorsed*, Recd. 26 October, Read 31 October 1738. *Enclosed*,

445. i. Commissioners for Indian Affairs to Lieut.-Governor Clarke, Albany, 30 August 1738. Capt. Cornelius Cuyler, lately returned from Canada, informs us that he has heard that the French design to settle several families on the Wood Creek about ten miles from our settlements next spring, that the governor of Canada has sent several farmers there, among which was Ilber, to view the land last fall and this summer as far as Fort Anne, and that he has heard a report that the land is granted to Ilber and others, which we believe to be true. Which settlements we conceive to be of very bad consequence and entreat you to prevent this encroachment of the French; for we are persuaded that they will soon erect a fort at Wood Creek. We hope that more notice will be taken of this than of what we informed about the erecting of the French fort at Crown Point which is made as strong as any in Europe.



Some of the principal sachems of the Senecas are gone to Quebec, we fear, to make over Tierondequat to Governor Beauharnais who no doubt will take the first opportunity next spring to erect a strong building there; then we are enclosed on all sides. But we are yet in hopes the French may be prevented. We heartily wish that the limits between our crown and that of France were settled which might prevent their continual encroachments on us. *Copy. Signatories*, Philip Livingston, Mynden Schuyler, Rutger Bleecker, Abraham Cuyler, John De Geysler, Nicholas Bleecker, Dirck Ten Broeck, Johannis Lansing jnr. 1½ small pp. *Endorsed*, as covering letter.

445. ii. Speech of Lieut.-Governor Clarke to Assembly of New York, 5 September 1738. I will assent to an Act to continue the excise for sinking bills of credit struck in 1714 and 1717 when at the same time you give H.M. as ample a revenue for supporting his government here and for as long a time as former assemblies have done. There is a standing order of the Plantation Board 'That no person be heard there in support of bills past in the Plantations unless he makes it appear that he be agent for the colony in whose behalf he applies'. Your bills will be liable to be rejected upon the application of any other colony who shall think themselves aggrieved thereby if no person be authorized to appear for you on such occasions. Care of defence and payment of agents in Indian country are recommended. *Printed*. 1½ pp. *Endorsed*, as covering letter.

445. iii. Number of inhabitants, both white and black, within the province of New York taken in 1737. Separate figures given for New York City, Albany, and counties of Westchester, Orange, Ulster, Dutchess, Richmond, Kings, Queens and Suffolk. Totals: white males over ten years, 17,393; white females over ten years, 17,518; white males under ten years, 8,347; white females under ten years, 8,238; black males over ten years, 3,551; black females over ten years, 2,714; black males under ten years, 1,397; black females under ten years, 1,279. Grand total, 60,437. Total in 1731, 50,289. Increase 10,148. 1 p.

445. iv. Statement of the militia within the province of New York, taken in 1737. Separate figures are given for the cities and counties named in No. 445. iii. Totals: officers, 423; other ranks, 7,888. Officers in the militia troops, 36; other ranks, 361. Officers in artillery company, 5; other ranks, 85. 1 p. *Endorsed*, as covering letter. [C.O. 5, 1059, fos. 64-65d, 67-71d.]

#### 446

September 16.  
New York.

Same to Duke of Newcastle enclosing copies. I beg leave to remind you that this is a frontier province which only can restrain the French from making incursions in case of a rupture into all H.M.'s provinces to the westward of this. We have garrisons, but without an ounce of powder and very few other warlike stores, without a carriage fit for service to mount any of our guns upon. Nor have we had any stores sent us this seven and twenty years, too long a time for powder to remain good had the necessary care been taken to preserve it, but for want of that care great quantities have been trodden underfoot. I send you my speech to the assembly wherein I have told them the fate of a large sum of their paper money if they do not give H.M. such a revenue and for as long a time as former assemblies have given it. This is an advantage I have over them at present, which I think I ought by no means to part with. *Signed*. 2 small pp. *Endorsed*, Recd. 3 November. *Enclosed*,

446. i. Speech of Lieut.-Governor Clarke to Assembly of New York, 5 September 1738. As No. 445ii. *Printed*. 1½ pp.

446. ii Lieut.-Governor Clarke to Council of Trade and Plantations, 16 September 1738. *Copy*, of No. 445.

446. iii. Commissioners for Indian Affairs to Lieut.-Governor Clarke; Albany, 30 August 1738. *Copy*, of No. 445. i. [C.O. 5, 1094, *fos.* 68-74d.]

447  
September 17. Governor Edward Trelawny to Duke of Newcastle. Since my letter  
Jamaica. of 17 August I have received the French governor's answer to my letter to him. Copy enclosed. As Tristram's affair is to be decided at the court of France you will doubtless have been applied to before this reaches your hands on behalf of the owners. As to Bloom the declaration of Lawrence Payne (copy annexed) contradicts his protest so much that unless he can produce better proofs to support what he alleges in it I am afraid the people that have been sufferers will obtain no manner of satisfaction from the French. I intend to send a copy of so much of M. de l'Arnage's letter as relates to Bloom together with Payne's declaration to the governor of New York for him to get an answer to them from Bloom. And if I shall be of opinion upon receiving the said answer that there is room to make further application, I shall not fail to do it and acquaint you with my proceedings therein. *Signed.* 2 pp. *Endorsed*, Recd. 31 December. *Enclosed*,

447. i. Governor l'Arnage of Hispaniola to Governor Trelawny; Leoganne, 3/14 September 1738. With regard to the first complaint in your letter, I have made Capt. Douglass clearly see the falsity of the protest which Daniel Bloom made at New York concerning a quantity of gold pieces which he claimed were plundered by the crew of the *Vantour*. Bloom did not complain of such a loss here. One Payne, an Englishman living here, acting as interpreter, has declared not only that neither Bloom nor his passengers complained of loss of money but that he (Payne) was witness that the English recovered all their gold and silver. Copy of Payne's declaration is enclosed; Capt. Douglass has the original. Whence you may judge that Bloom designed to rob the persons to whom this money belonged by falsely alleging that it had been plundered. As for the *Elizabeth*, Capt. John Tristram, taken by the *Vantour* at Cape Donna Maria and judged a prize at Leoganne, the edict of the French king of 1727 names the places where English ships may obtain wood and water and orders the seizure of ships found elsewhere on the coast. Cape Donna Maria is not one of the places specified and the king's ship was right to seize the *Elizabeth*. On the security of John Hide, merchant of Jamaica, the ship has been returned to Tristram; and he can seek remedy by taking his case to the French king. *French. Copy.* 4 pp.

447. ii. Leoganne, 28 August 1738. Declaration by Lawrence Payne concerning Daniel Bloom. I never heard either Bloom or his two passengers, John Bel of New York and Peter Valet of Jamaica, speak of any loss of gold or silver while they were at Leoganne. *French. Copy. Endorsed*, The original of this paper I have in my possession, W. Douglass. 1½ pp. [C.O. 137, 56, *fos.* 134-140d.]

448  
September 19. James Oglethorpe to Trustees for Georgia. I am arrived here and  
Frederica. find things in a better situation than I heard in England: all the southern division of the province is in very good order. I have now told you the best; I hear that the northern division of the province has lost near three-fourth parts of the people since I left it, some running away for fear of the Spaniards but ten for fear of debt, for the court of Savannah has taken upon them to imprison for debt, notwithstanding the people surrender their effects. I landed here and sent up Mr. Jones express to Savannah. I have been unfortunately forced to stay by an unfortunate difference between the lieut.-colonel and some of the officers of the regiment and for the landing of men. I can say nothing with certainty of what has been done at Savannah



till I see with my own eyes. I have published the order forbidding all certified accounts etc. and shall reduce all expenses, but I fear if some of the people who have had misfortunes are not assisted with provisions the misery will be too great for description. I hope you will obtain another supply from Parliament and there is great hope, nay I may say no doubt, that both silk and wine will in a very short time come to perfection. I shall give you a further account when I have been at Savannah which will be in a few days. I must again mention that if there is not a supply from Parliament this year those brave fellows who stood the worst and who till the arrival of the regiment were forced to be almost the whole year under arms must starve with their families since they could not do the duty and work at the same time; from henceforward I shall ease them of their heavy guards and only keep such a watch or guard as will preserve the peace of the town which will be always necessary. I desire to know what establishment you will order, if any, that I may be able to prevent the storekeepers exceeding the allowance as I fear they have lately done. *Signed*. P.S. Capt. Burrish says the entrance and the harbour is very good and that much larger ships than his may come in with safety. 2 small *pp*. *Endorsed*, Recd. 29 January 1738/9, Read to the Committee 14 March 1738/9. [C.O. 5, 640, *fos*. 182-183*d*.]

449

September 19.  
Jekyl Sound.

Same to Sir Joseph Jekyll. I am now got to an anchor in a harbour and near an island that bears your name. God has given us the greatest marks of his visible protection to this colony. The Spaniards, though they had 1,500 men at Augustine and there was nothing in Georgia but the militia of the country, delayed attacking them till the regular troops arrived. We have had the finest passage and lost but one man out of the soldiers. The inhabitants are extremely cheerful and now hope that they have seen the worst over and that being no longer troubled with alarms they may go on with their improvements. We shall certainly succeed in silk and wine in case the planters are supported by the public in those attempts. This province bridles the Spaniards in America and covers the English frontiers. The poor people that are here have been so harrassed by their threats and so constantly under arms that they have not been able to make that provision for their subsistence which was necessary, though it was far from want of industry in them. They have been sometimes obliged to be two days out of five on guard notwithstanding which they have laboured their lands and made some improvements. It is the vigilance and courage of the militia that prevented the Spaniards from being masters of this province as well as Carolina, but they must in the end have been starved through want of time to follow their business if they had not been relieved by the regiment. These duties to the public service have thrown them so backward that unless the Trustees have the continuance of the parliamentary assistance, all that is already done will be lost, and what is already given thrown away. Besides, it will be the greatest inhumanity to send over people to settle a country and when they have behaved so well as to sacrifice their own affairs for the public service then to abandon them to destruction. I am persuaded therefore the Parliament will give the necessary supplies to the Trustees for the carrying on the civil government and the improvement of the country. I hope you will permit Mr. Tower and Mr. Archer to wait upon you on this occasion, that you will make my compliments acceptable to Lady Jekyll. *Signed*. 3 small *pp*. [C.O. 5, 640, *fos*. 180-181*d*.]

450

September 19.  
St. Simon's.

Extract of letter from James Oglethorpe to Thomas Archer. I think you are very well acquainted with some of the Lords of the Admiralty. I must desire therefore that you would use your interest that Capt.

Burrish who commands the man-of-war that brought me over may be continued on the Georgia station. He is very zealous for the service and has showed it by standing directly to the southward up to the very noses of the Spaniards whilst all the others went into Charleston where they generally stay. If Capt. Gascoigne and Capt. Burrish were continued with their ships on this station and that one lies in Amelia and the other in Jekyll Sound they will cover this province by sea and keep open the communication between the garrisons where my regiment must be dispersed amongst the islands. If the communication is not kept open it may be of very dangerous consequence. Perhaps the Lords of the Admiralty may say the ships at Charleston may, if we are attacked, come up to our assistance, but if they consider that Charleston is near three degrees to the northward and Augustine not above half a degree to the southward the matter may be over before they come up. Besides that, the gulf of Florida sets with a rapid current to the northward so that it is very difficult to come from thence southward and the same wind that brings up the Spaniards from Havana hinders the ships at Charleston from coming down to us. Besides, how strange a thing is it that there should be no man-of-war stationed in a frontier port exposed to an enemy but that they should depend for their support upon those who lie in a port in the heart of a peaceable country above 100 miles distant. Mr. Winnington and Sir Thomas Lyttleton are friends to Capt. Burrish and if you mention it to them they will give their assistance to the Trustees in obtaining a station ship for them. *Copy.* 1½ pp. [C.O. 5, 640, fos. 184-185d.]

451

Lieut.-Governor William Gooch to Council of Trade and Plantations.

September 20. By H.M.S. *Seahorse*, Capt. Compton, I have sent the journals of council in which there is but one remarkable occurrence that I judge deserves your attention. It is now about twelve months ago that at the earnest request of the Cherokee and Cattawba Indians, nations on the back of Georgia and South Carolina, I have endeavoured to negotiate a peace between them and the Indians under the government of New York, commonly called the Six Nations, who for a long time have harrassed them with continual incursions as they have all other Indian nations on the British continent who would not become tributaries or incorporate with them. At last I obtained from the lieut.-governor of New York a promise that the Six Nations should treat, and a day was fixed for the purpose which was to have been the 8th of last month, and in the meantime all hostilities should cease: but under the hard terms that the southern Indians should send their deputies 800 miles to meet the northern Indians at Albany, where and at no other place they would treat, and that this government should not only subsist the chiefs of the Six Nations during the treaty but furnish presents to them as usual on the like occasions, which I own I thought very unreasonable since Virginia had no other interest in the negotiation than what was common to all H.M.'s subjects, the protection of a people who by a solemn treaty made at your board had submitted to H.M.'s government and were thereby admitted, if not as subjects at least as allies, and ought to be considered as such by all that own the same allegiance.

However the Six Nations soon put an end to this treaty by a treacherous attack on the Cattawbaws during the cessation, which so exasperated that nation that they pursued their northern enemies as far as the river Cahongarooton and gave them a notable defeat. But the northern Indians that escaped, upon the retreat of the Cattawbaws, fell upon three families of the English inhabitants on the back of the mountains and barbarously massacred eleven of them. On notice whereof I immediately sent to the nearest towns of those Indians to demand the murderers, but they pretend to know



nothing of the matter and endeavour to charge it on the French Indians from Lake Erie. But if it was the French, as I am very sure it was not, the Six Nations ought to be accountable since it must be them that taught the French the way to our frontier.

It will no doubt seem very strange that a nation of Indians supported by a British government at a very great expense to the nation should be suffered to employ their force to destroy other nations under the same protection with themselves and at the same time entertain an alliance with the French whose aim is to demolish both them and their protectors. But it is much more so to find a nation supported by English garrisons at the same time butchering English subjects and that no redress is to be had without applying to them at Albany. To explain this mysterious conduct in our neighbours it must be considered that the Dutch were the first possessors of the province of New York who, finding the skin trade very profitable, encouraged the Five Nations (as they were then called) to the subduing all other Indians that could possibly interfere with them in their hunting from which the profit of that trade did arise, teaching them at the same time to look on the people in the neighbouring colonies as strangers; which perhaps might be allowed a commendable piece of policy in the Dutch but very unfit to be practised now New York is a British province. For though the government is changed the people in this respect are still the same and the like arts to manage the Indians have been continued ever since. Thus this commerce of their's is under the direction of Dutch commissioners; their traders and interpreters are Dutch. By these those Indians are taught to esteem all the other governments as strangers, and it is no wonder if, according to their savage way of reasoning, they reckon all strangers enemies.

The privilege these northern Indians claim of treating with H.M.'s governments only at Albany owes its original to the same cause and might be proper to be insisted on then when under a distinct nation, but a very great indignity at present to H.M.'s other provinces whose governors have been obliged to purchase peace at the expense of truckling to servile attendance on their sachems at Albany, than which nothing can create a greater contempt of them in the minds of their Indians.

It is much more easy to expose the inconveniences arising from the present method of managing the Indians than to offer proper remedies, which would without question be obstructed by all those who find their account in engrossing to themselves the Indian trade. New York especially would be much alarmed at any new regulation to render the Indians less dependent on them and to facilitate an intercourse with their neighbours. But since it is very reasonable that if H.M.'s other Plantations are to be excluded from any benefit by the Indian trade they should be secured from all injuries, the people of this country would be contented to quit the small share they have of the one from the northern Indians if they could be freed from the danger of the other. For which reason I would propose that the several nations of Indians may be confined in their hunting and only range within the limits of the respective governments to which they belong, allowing them as far westward as they please provided they do not enter into any confederacy with the French or Spaniards; and that each government be answerable for the behaviour of their own Indians; and if any body of Indians should go out of the bounds assigned them it shall be no breach of good correspondence to fall on them, destroy or transport them.

As the determination of the dispute about the boundary of the Northern Neck is of the utmost importance to this country, you will excuse me if I recommend the dispatch of it. For, as great numbers of people are already settled in the controverted part and many more waiting to settle there, especially if it falls into the king's hands, no time should be lost to encourage the seating of it; for it would soon become a very formidable barrier against the French and Indians and in a few years enable us to gain possession of

the Lakes. *Signed*. 3½ pp. *Endorsed*, Recd. 27 November, Read 28 November 1738. *Enclosed*,

451. i. Proclamation by Lieut.-Governor Gooch proroguing the assembly of Virginia, 16 December 1736, with memorandum of six further prorogations, last dated 15 June 1738. Proclamation prohibiting export of grain or flour, or meal made of the same, 5 August 1737. Proclamation continuing prohibition of export of Indian corn or meal made of the same, 26 October 1737. *Copies*. 3½ pp. *Endorsed*, as covering letter. [C.O. 5, 1324, fos. 137-142d.]

**452** Governor Jonathan Belcher to Duke of Newcastle, enclosing journals  
September 21. of the last session of House of Representatives of Massachusetts and  
Boston. report of conference with Indian tribes. [*In substance same as No. 433.*]

*Signed*. 4 pp. *Endorsed*, Recd. 10 November. *Enclosed*,

452. i. Report of conference of Governor Belcher with Penobscot and Norridgewalk Indians, 28 June-6 July 1738. [*See No. 433. i.*] *Copy*, certified by Simon Frost. 15 pp. [C.O. 5, 899, fos. 343-353d.]

**453** John Vanderplank to Harman Verelst acknowledging letter of 9  
September 21. September. The terms of settlement in Georgia are such, especially in  
Southampton. regard to female inheritance and restrictions on servants, that I have almost laid aside the thoughts of going thither especially this winter. *Signed*. 2 pp. [C.O. 5, 640, fos. 186-187d.]

**454** Lieut.-Governor William Gooch to Duke of Newcastle, transmitting  
September 26. journals of council by H.M.S. *Seahorse*, Capt. Compton. Sir Yelverton  
Virginia. Peyton in H.M.S. *Hector* arrived here the 23rd after parting with Col. Oglethorpe in the *Blandford* man-of-war and five transports the 13th inst. about 15 leagues from the coast of Georgia. *Signed*. ½ p. *Endorsed*, Recd. 18 November. *Enclosed*,

454. i. Copies of proclamations. *See No. 451. i.* 3½ pp. [C.O. 5, 1337, fos. 200-203d.]

**455** Governor Alured Popple to Council of Trade and Plantations. Since  
September 27. my last, the council and assembly met again to address H.M. and thank  
Bermuda. him for the stores, which address I enclose. Although I could not put my name to it on account of the public compliment the council and assembly were there determined to make me yet I beg to add my reasons in support of their request for some additional stores. These islands are very well fortified: yet there are several places where ships and vessels may come in, but these places are protected by forts and batteries. As therefore it is necessary to divide the stores that remain in these islands in so many different places no one of these forts or batteries has a proper supply.

The situation of these islands is such that all homeward-bound vessels must pass within twenty or thirty leagues of them, very frequently within sight, as I have found since my being here. It is for this reason therefore that these islands are of such consequence to Great Britain, for should they ever for want of protection fall into the hands of the French or Spaniards, the trade carried on between Great Britain and H.M.'s colonies in America would be rendered very precarious, if not entirely dependent upon the possessors of Bermuda, for with the assistance of five or six light frigates the trade abovementioned may be intercepted. I could say much more upon this subject but that I am fearful of taking up too much of your time. However, I cannot avoid mentioning in favour of the request now made to H.M. through your means of a further supply of



stores of war that upon a thorough inspection now made of the several forts and batteries in Bermuda a general repair is begun, and I assure you that the expense thereof and of mounting several guns that are useless for want of carriages entirely disables the inhabitants from purchasing such stores as are absolutely necessary to render these forts and batteries defensible when repaired. These repairs are left to my directions as you will see by the minutes of council and I assure you that I will employ my utmost care and diligence to see them completed.

As it is a duty enjoined by my instructions to acquaint you with everything I may judge for the safety and defence of these islands, I beg to mention the addition of fifty men to the independent company now here as a matter of the greatest service in that particular for these reasons: although there are several places where vessels with good pilots may enter yet there are but two considerable, each defended by two forts. In the King's Castle, one of the two forts at the entrance into Castle Harbour, there are four matrosses but never more than two at a time; and at Pagett's Fort, one of the two forts at the entrance into St. George's Harbour there are but two matrosses, one of which is constantly there; at the other two forts there are none except at an alarm or in time of war when what strength can be spared from the militia is sent to the several forts. But as the inhabitants of these islands (who are all of the militia from 15 to 60 years of age) are generally seafaring men the major part of this militia must often be off the island so that upon any review the militia under arms are not above half the number of those who are on the muster rolls, and if the several forts are to be manned out of the militia their families would suffer in time of peace, and in time of war the body of men that would remain would be very inconsiderable. Whereas was the independent company increased to 100 men the four forts at the entrance of the two harbours might be manned and regularly relieved by the company, and yet a body of the king's company remain in town and at the platform for further service. The militia might be disposed of in proper places in the country where boats may land men, and then I am of opinion these islands may with ease be protected from such dangers as at present they lie exposed to. I have given orders for a general review of the militia that I may do the utmost in my power towards the discharge of every branch of my duty. But the militia has been so much neglected, not having been reviewed but once in nine years, that I found it very difficult to prevail with those gentlemen who had formerly served to take commissions again. I have written to the Duke of Newcastle to the same purpose. But if you favour these proposals, I hope you will represent the same to H.M. *Signed. 3 pp. Endorsed, Recd. 19 December 1738, Read 10 January 1738/9. Enclosed,*

455. i. Address of Council and Assembly of Bermuda to the King praying for a further supply of warlike stores. *Copy. Signatories, (for the assembly) Cornelius Hinson, Peasly Hare, Joseph Dill, Benjamin Harvey, John Spencer, Nicholas Spencer, Jeremiah Peniston, Jonathan Outerbridge, Thomas Outerbridge, Stephen Paynter, Robert Hutcheson, Samuel Burt, Thomas Smith, Stephen Judkin, Nathaniel Bascome, speaker, John Harvey, Thomas Gilbert, Joseph Darrell, George Gibbs, Henry Tucker, Peter Mallory, Richard Mathelin, James Jauncey, Ephraim Gilbert, William Riddell, Paul Trimmingham, William Morris, Thomas Dickinson; (for the council) Andrew Auchinleck, Francis Jones, John Butterfield, Nathaniel Butterfield, Leonard White, Robert Dinwiddie, Samuel Burrows. 3 pp. Endorsed, as covering letter.*

455. ii. Report of committee appointed to survey the fortifications of the east end of the Bermudas to Governor Popple, 23 August 1738, setting out number of guns, of what size, number of shot, quantity of powder etc. at each fort. Total: 79 guns of which 68 are fit for service, 2,330 shot etc. Absolutely wanted for supply

of these forts: 20 guns, 1,000 shot etc. *Copy. Signatories*, (of the council) Leonard White, Robert Dinwiddie, Samuel Burrows; (of the assembly) Robert Hutcheson, Stephen Judkin, Benjamin Harvey. 1 large p.

455. iii. Same on west end of the Bermudas, 25 August 1738. Total: 14 guns of which 10 are fit for service, 52 shot etc. Wanted: 20 guns, 20 barrels powder, 1,000 shot etc. *Copy. Signatories*, (of the council) Francis Jones, John Butterfield, Nathaniel Butterfield; (of the assembly) John Harvey, Henry Tucker, Peter Mallory. *Certified* by Samuel Smith, clerk to the said committees. *Sealed and Signed*, 30 September 1738, Alured Popple. 1 large p. [C.O. 37, 13, fos. 67-68d, 70-73d.]

456

September 27.  
Savannah.

William Stephens to Trustees for Georgia. My last was of 26 August by Mr. Whitefield. On 11th inst. I received a letter from Mr. Abercromby, attorney-general at Charleston, together with a packet which came by Capt. Percy wherein I had your commands by Messrs. Martyn and Verelst in their letters of 19 and 20 May and 12 and 14 June. Your further commands which came under the same cover for Messrs. Causton, Parker and Anderson, were immediately delivered to them as other letters also enclosed were to whom they were directed. Your determinations at this juncture are of so great moment that as they consist in a great measure of matters requiring strict observance in the future execution of them I conceive it at present only incumbent on me to assure you that nothing shall be wanting on my part to see your pleasure fulfilled, wherein I must hope for the ready assistance of those whom I am appointed to co-operate with.

It may not be improper however to touch upon a very few particulars at present in transition which probably a little time may occasion me to be more explicit in, and if so they will scarcely pass unobserved in my journal hereafter, where I presume it has hitherto appeared my thoughts (such as they are) have been delivered with simplicity, even such as I could not well warrant were it not that I had it as a particular injunction to do it without scruple or hesitation. But though I can easily assure myself that I lay nothing before you as fact which has the least untruth, yet I am sensible in offering any opinion of my own it may be very erroneous and will need your pardon. I wish I could as easily prevail with others to recede from their former sentiments relating to the tenure of their lands who now appear pretty much chagrined upon my acquainting them with your determination on that affair, and stories filled with rancour and illwill are buzzed about to create jealousies and raise a general disaffection as far as the authors of them are able, who cannot so far conceal themselves but that they may be shrewdly guessed at, all arrows out of that quiver being pretty well known. I hope this flash of passion may quickly disappear, and shall think it my duty to be a close observer of what passes, which if it appears to be attended with any ill consequence shall surely be laid before you.

How and on what labour the Trustees' servants are employed (or have been I presume is meant) I should be glad to give a more ready answer to than I am capable of at present, it being a knot not easy to unravel but entangled with variety of frequent alteration which I shall try to pick out by degrees. In the meanwhile I think I may venture to write negatively what has *not* been done which I dare say those people were sent for. If we look into the farm work under Mr. Bradley's care there is little appearance of anything more than a few ordinary huts which they set up a little while since and about half an acre of land partly cleared by them (as Mr. Bradley's son informed me when I last viewed it) but never cultivated and planted; so that what number of acres there are improved (which I sent an account of) it seems they had no hand in but has been the work of other servants since Mr. Bradley's first beginning. How many of these foreigners Mr. Bradley employed at the spring season of this year about his son's lot



near the town may be hard to come at the true knowledge of. But I saw a pretty many myself and took notice of it in my journal of 14 February, near about which time or soon after, upon Mr. Bradley's using some severities towards a woman whom he caused to be corrected (very justly for aught I know), a general discontent spread soon among all of them; and it being industriously (I think) at the same time propagated that any who within six weeks could either pay or find friends to pay 6*l.* 5*s.* for them as the cost which the Trustees were at for their passage might claim their discharge, many of them took that course. And divers people of the town at the same time wishing to be supplied with servants, they were easily induced to change their masters and turn themselves over into private hands where some of them (I fear) have since found cause of repentance, Mr. Causton upon payment of the sum required having discharged them from Mr. Bradley's service under the Trust and delivered them to such new masters, whereunto he was the rather moved from their not being usefully employed where they were desired.

This, however, Mr. Bradley made great complaint of and it heightened the animosity at that time subsisting betwixt Mr. Causton and him. Before the bulk of these people was delivered into Mr. Bradley's care Mr. Causton had made choice of 13 of them to serve the Trust in work at the stores, the crane or the public garden, as occasion might require more or less at either place; and if from them a true judgment could be formed of the whole I think a more lazy, obstinate and dissatisfied people can scarcely be found. This has been notorious to all who cannot but see it daily. How many Mr. Bradley has now remaining with him I have not yet learnt nor the particular work they have from time to time been employed about for several months past. I will endeavour to come at it if possible but I would not enquire at the wrong place. I know well that it has taken up no small time in cutting out and making a wide road from the town's end to the Trust farm, which labour I apprehend might very well have been spared as well as expense that has attended it, for he was obliged to make a bridge of good timber work through a large swamp, whereas had he been contented to have made use of a way already made on the left hand going out of town there was Colliton Bridge ready made, or on the right hand there was another way would have answered the purpose as well, both those roads meeting in a point just in the line which he had in view. But he chose rather to find a third way betwixt them which I know not how to represent better than by the figure of a broad arrow. I should not have said thus much and been obliged to end imperfectly at present had it not appeared something was expected from me concerning it by being particularly recommended to my enquiry. But I would not write injuriously of any man by prejudging of him.

The notices sent me with directions to affix them to the storehouse doors relating to future credit I took care was immediately done by affixing one at this store and sending the other to Mr. Horton at Frederica within few days after for him to do the same. Mr. Gilbert upon hearing of your promoting him to the magistracy took occasion to let me know his thoughts concerning it, wherein he expressed a grateful sense of the kind opinion you were pleased to entertain of him but at the same time declared that he thought himself by no means capable of discharging the duty of such an office forasmuch as he could neither read nor write his own name and was not willing therefore to bring himself into contempt among his neighbours with whom he now lived in peace and quiet; and indeed I take him to be an inoffensive man without any ill designs, but of what weight his reasons shall be allowed for excusing his taking that office upon him I shall not presume to judge. The part I took in it was to advise him to consider further of it and lay his thoughts before the general when he came, whose approach we hoped was so near that such a short suspense could produce no ill before it was determined.

Your final decision of the affair concerning the claim of grand juries to administer oaths must put a happy period to any future contention on that head. Divers other matters which you have observed in those letters I now received will call on me to write particularly of, which I shall endeavour to do in due order of time as I can well be informed. At present I must be forced to break off here, a boat just arriving from Frederica wherein came Mr. Jones who brings us the good news that the general with the man-of-war and all the transports arrived happily at St. Simon's on Monday sennight, 18th instant, after an easy passage and that they were all in perfect health, so long has this joyful news been finding its way hither. I do not find that I have any letter of any kind by him but presume the original packet whereof I had copies by the way of Charleston may be yet under the general's care who will order the delivery of it when and by whom he sees proper. I do not find that Mr. Jones can give us any certain intelligence when we may expect the general in these parts. Without doubt his time is sufficiently taken up with matters of most importance where he is. *Signed.* 4 small pp. [C.O. 5, 640, fos. 188-189d]

457

September 29.  
Savannah.

Same to Trustees for Georgia. Mr. Jones having the charge of divers letters with him (some from the general) which he must dispatch to Charleston without loss of time and for which service we must hire a boat from hence, I could not have wished for a fairer occasion of sending what I wrote of 27th that otherwise I might have waited long for an opportunity of doing, and you will please to allow my adding this in the nature of a supplement to my other herewith. The continuation of my journal accompanies this together with duplicate of my former of 26 August, and to carry on my list of the freeholders of this town as far as it would go I have picked out some to be added to those planters last sent who I conceive are worthy of the next rank and may be looked on as useful inhabitants in some degree; to whom, if we add all minors and orphans from whom some future good may be hoped, I fear I must close the account of freeholders there, the next class consisting partly of vacant lots and partly of such as if we say no ill of, I doubt little good especially in planting may be expected from. Mr. Jones having now delivered me the packet sent from you, I am to acknowledge receipt of eight papers. [*Particulars given.*] *Signed.* 1 small p. *Endorsed,* Recd. 29 January 1738/9, Read to the Committee 14 March 1738/9. [C.O. 5, 640, fos. 190-191d.]

458

September 29.  
Savannah.

Same to Harman Verelst. You will be so good to pardon me for the freedom I take in saying to you as to a friend it is very amazing and shocking to me to think that neither in the packet which came by Capt. Percy nor in the last which came with the general I could find any one letter from any mortal except what Mr. Martyn and you wrote me by order of the Trustees. What the meaning of it is God knows, indeed it is a melancholy consideration. But I must bear these evils as well as I can and I had need to summon what fortitude of mind I am able when I see so many crosses daily to discourage me. By my journal you will see what a sad condition we are fallen into with our servants and were I inclined to dwell on such a dull theme I might have scope enough. But I shall wait with patience in hopes of better things and at present waive saying any more till I see how it will end. I fear my son is falling ill, too, which would add grievously to the weight of my misfortunes. But to come to the affair in hand, fearing that I suffered an error to escape me in copying the last list of planters sent I must beg it may be corrected. It is at No. 117, Francis Delgrass, a shoe-maker by trade, I find in my original to have planted 5 acres. If therefore he is added to that list with his planting and one Richard Turner, No. 135, though



a planter (of one acre only) struck out thence and left to be ranked among the least deserving at the latter end of all, it is justice due to both. It is fit I should give you some account of what this present packet contains too, besides my journal and duplicate of my last letter, and this list of freeholders who I apprehend have some merit to distinguish them from the least deserving. The large flat parcel was brought me from Mr. Christie who told me nothing of the contents, but I guess it is chiefly the proceedings of the courts. There is also a small bundle of letters which came from the general at Frederica and was delivered me by Mr. Jones. I have written so on the back of the paper I enclosed those letters in. What others you find were brought me at different times from sundry people who committed them to my care. But there is one particularly of my own directed to a son of mine in the East Indies who has been there many years and I have not scrupled to put it under cover in this letter to yourself assuring myself that as you are frequently in the City you will be so good to put it into such a sure way of conveyance that it may go safe. I forbear giving you any more trouble now. By the time that I write next probably I may have occasion to be more copious. For I take this to be a kind of crisis here when we may expect to see great alteration in many things ere long. *Signed.* P.S. Here is a report that our good friend Col. Horsey is on his way to his government. I wish it proves true. P.P.S. Though the misfortunes of so many sick servants falls heavily on me yet I would not have it inferred from thence that the town is become very sickly. On the contrary it is as healthy as generally we find it at this time of the year and though fevers and agues are pretty common very few died of late. 1 p. *Endorsed,* Recd. 29 January 1738/9. [C.O. 5, 640, fos. 192-193d.]

459

September 30.  
Savannah.

Thomas Christie to Trustees for Georgia enclosing copies of records. Pardon me if they are any way defective. I do assure you I have in my station greatly laboured to reconcile things within this colony and I have hitherto spent almost all my time therein. I met with one difficulty which perhaps you are unacquainted with, that is an insupportable pride in my fellow labourer Mr. Causton, which has given me more attendance and taken up more of my time than all other my avocations put together. His business was too much taken up in the storehouse and now I am afraid will be with settling his accounts. Give me leave to congratulate you on the safe arrival of our general. *Signed.* 1½ pp. *Endorsed,* Recd. 29 January 1738/9. [C.O. 5, 640, fos. 194-195d.]

460

[No date.]

James Oglethorpe to Duke of Newcastle. I arrived off this coast 14th inst. and made Amelia which is our frontier garrison towards the Spaniards. The fort there returned our signals and one of the officers came off to me; he gives an account that the Spaniards landed a great body of troops at Augustine in April last but that before they were ready to begin the invasion the orders which you obtained from the court of Madrid arrived, forbidding them to act till further orders, since which all things remained quiet till lately when they sent up a party to the Apalachee Old Fields and but a few days since they fired at a boat belonging to his fort. I got into this harbour yesterday, the entrance is very good and as I am informed by several persons who understand it 40-gun ships can come in.

Pursuant to H.M.'s instructions I am putting the forts into a condition of defence; though I have no fund to pay, I have prevailed with the soldiers to work on the fortifications with hopes that they will merit H.M.'s gracious favour. As I was apprehensive of the intentions of the Spaniards I have desired the *Blandford* man-of-war that is now here to stay till we can get the works repaired or till I can have an answer of the intention of the Spaniards from the governor of Augustine to whom I design to send in a few

days. It would be very necessary to have always a man-of-war here since it is near the frontiers, a good air, and a safe port, and I should be very happy if the present ship was continued here since they already know the entry. That part of my regiment which had the happiness of seeing you drank your good health on their arrival and gave their prayers in America for your generosity to them at Clermont. The expenses have been very great upon us, we are now above our complement for I brought over a good many supernumeraries for fear of death. *Signed. 2½ pp. Endorsed, Recd. 29 January 1738/9. [C.O. 5, 654, fos. 188-189d.]*

461

October 2.  
Georgia Office.

Harman Verelst to William Stephens enclosed to James Abercromby or in his absence to Messrs. Crockatt & Seaman, by the *Hope*, Capt. White. The Trustees not hearing from you since your journal and letter of 27 May last when opportunities have occasioned their hearing from Mr. Whitefield twice makes them fear you were indisposed, you always having been so regular in your correspondence. They desire that in case of indisposition at any time happening to you your son may keep up the correspondence with them. P.S. When Rev. Mr. Norris has occasion for his salary of 50*l.* a year from the Trust please assist him in the application for it out of the Trustees' effects in Georgia. *Entry. ½ p. [C.O. 5, 667, fo. 103d.]*

462

October 2.  
Georgia Office.

Same to William Bull by *Hope*, Capt. White, signifying receipt of copies of his representation to Council of Trade and Plantations dated 25 May and of his letter to their lordships dated 20 July last. *Entry. ½ p. [C.O. 5, 667, fo. 103d.]*

463

October 2.  
Georgia Office.

Same to Rev. George Whitefield enclosed to James Abercromby or in his absence to Messrs. Crockatt & Seaman by the *Hope*, Capt. White. My last were of 11 and 25 August. This acknowledges receipt of your letters of 14 June and 1 July last. The Trustees are well pleased with your account of the people's behaviour at Savannah and they hope for as good an account from Frederica where your future station is intended, and by your speedy return to England expect the same in person. *Entry. ½ p. [C.O. 5, 667, fo. 103.]*

464

October 3.  
Abercorn.

Isaac Gibbs to Trustees for Georgia. The land I began to clear turned out to be someone else's; I had household goods lost or damaged by the wreck of the *Minerva* at Charleston; my wife had a miscarriage and later died. So I am obliged to crave assistance. But I despair of ever doing any great matters by pecking with a hoe for when, if there be two or three hands, they have cleared 5 or 6 acres it is as much as they can well manage by way of planting or tilling without going on with clearing any more, so that there is like to be a poor maintenance for families of such a small quantity of ground; and indeed there is but very little progress made as I have seen got by the gentlemen that have been here longest. But I propose to have a plough if I can possibly, for it is a hard thing to come at in this place for I have heard of nor seen but one in this colony, and that a very indifferent one too. Here is scarcely any that understands to make them or husbandry either, and what they do in carpentry is so very chargeable that it is hard to come at on that account. It might be of great service to the colony if you would assist them with a few English ploughs for I am sure that one man and a boy with but a couple of oxen or horses shall do more than ten men with their hoes and much better done, and I think would be better also than that inhuman and abominable using of negroes. I crave the favour of another



50-acre lot in my younger son's name and the grant of favours promised to other settlers, such as a cow, hog, gun and two or three odd tools which I am not provided with. A cow would be very agreeable to our little ones in this place: here is not one nor a drop of milk to be had. *Signed*. P.S. An original of this was prepared and perused by Mr. Oglethorpe who so well approved that he commanded me to send a copy of it to you. 2 pp. [C.O. 5, 640, fos. 196-197d.]

465

October 4.  
Jamaica.

Governor Edward Trelawny to Duke of Newcastle. On 20 September Capt. Russell, commander of H.M.S. *Kingsale*, brought into Port Royal harbour a Spanish ship called *La Nuestra Senora del Rosario San Francisco Xavier y las Animas alias La Venus*, Don Bernardo de Espinosa commander, which he met off the Isle of Pines near Cuba and suspected to have been guilty of piratical practices. As soon as the Naval Officer acquainted me with the arrival of the Spanish ship I ordered him on board to enquire into her clearances and then to come with the commander and inform me of what he should be able to learn: which he accordingly did on 23rd, Commodore Brown and Capt. Russell being present, as also Mr. Gregory and the attorney-general (which two were the only councillors then in town). After a strict examination of the Spaniard and his clearances it appeared plainly that the vessel was a register ship and fair trader. But as the council was to meet on 27th, I thought it necessary to lay the whole matter before the board in order to know what they might think proper to be resolved upon concerning the vessel. The council, being met on 27th and having fully considered the case, were of opinion that as no piratical acts appeared to have been committed by the Spaniard nor any molestation given to H.M.'s subjects, the ship ought to be discharged and desired that I would send an order to the captain of the fort to let her pass and depart upon her lawful occasions; which I did accordingly, and she set sail this day. A week ago I received your letter of 11 July with a copy of the French ambassador's memorial and Mr. Paxton's report concerning a negro boy. I have found and delivered him to the attorney-general who will send him to Mr. Paxton by the first ship which sails for London; and this will be some time next week. *Signed*. 2 pp. *Endorsed*, Recd. 3 December. [C.O. 137, 56, fos. 141-142d.]

466

October 5.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle enclosing the following relating to the Chactaw Indians. *Signed*, M. Bladen, R. Plumer, Arthur Croft. 1 p. *Enclosed*,

466 i. President Bull of South Carolina to Council of Trade and Plantations, 20 July 1738. *Copy*, of No. 359. [C.O. 5, 384, fos. 44-51d; entry of covering letter in C.O. 5, 401, p. 305; draft of covering letter in C.O. 5, 381, fos. 301-302d.]

467

October 7.  
Frederica.

James Oglethorpe to Trustees for Georgia. I have sent up Mr. Jones, as I informed you in my last I would, and am now going to Savannah. In the enclosed is an account of the condition I found the southern part of the colony in on my arrival as also a petition from the people for support: the allegations of it are very true. The storehouse at Savannah has supported this division of the province so ill that the people must have starved or abandoned the place had not Mr. Horton given them his own cattle and corn to eat. You see the quantity of provisions, a great deal of the flour is in danger of spoiling, on which I had it made into bread and sold to the soldiers at prime cost, so that they had it at five farthings a pound. The money arising from it I have ordered to be laid out in fresh flour for supplying the Trustees' people. The Indian corn Mr. Causton bought in at 3s. 6d. per bushel and charged it at that price to the store here; it is now fallen upon the new harvest which

(God be praised) is very plentiful in Carolina, so that it is sold at 1s. per bushel there. Our poor people lost their harvest by reason of their being called by the Spanish alarms from their hoeing. I have ordered the old corn to be issued at 1s. 2d. per bushel which if I had not done would have been lost, for the people would not have taken it at 3s. 6d. when they could have bought new corn cheaper and it would have spoiled in two months.

We want beer extremely. I brought over 20 tuns of beer which I issued to the soldiers and inhabitants at prime cost which I believe will be gone before I can receive a supply. There are six barrels a day drawn and paid for in ready money. It would be very proper therefore, if the Trustees' affairs would allow it, to send over a cargo of at least 50 or 60 tons of strong beer and that of the same as I had from Mr. Hucks in Southwark. It will be a better remittance than even bills since beer's being cheap is the only means to keep rum out of the colony. Thank God there is none in this part, Mr. Horton having used great diligence to prevent it, to which in a great measure is owing the health and industry of the people. Upon the necessity I have granted the petition so far as to continue to furnish the people upon credit with 6lbs. of breadkind vizt. 2lbs. flour,  $\frac{1}{2}$  peck Indian corn, they had 4lbs. meat but I have now reduced them to 2lbs. of meat per week and 1 pint of molasses.

I shall when I come to Savannah strive to reduce all the Trustees' expenses as much as I can. But I can say nothing of certain relating to the northern part of the province, reports being so different. I fear there has been great roguery in the certified accounts, there having been several barrels of provisions bought from Philadelphia and New York which were condemned as unfit for food and burnt as such. The prices of the goods were also exorbitant and the species very bad. I have great difficulties to struggle with as you may conceive, a great number of mouths to feed, empty magazines and no money; a great debt I fear is contracted, but as there was no authority for contracting that debt I shall wait your orders before I will approve or pay any of it. I take a list of all the stores I find in the colony and I will intermeddle nor approve of nothing that was done before my arrival till I hear from you. I will make the few stores that are here go as far as possible towards supplying the people, but if we have not a supply from Parliament the misery will be inexpressible for there are eight months that the colony is to be supported and no other fund as I can find except the 500l. of sola bills which you sent over with me and what is in the magazines. The best expedient I can think of is to support the credit by paying such certified accounts, the particulars of which have been honestly delivered at moderate prices. If any certified accounts shall appear to have been fraudulently obtained your judgment will be the best direction how to proceed therein. I will enquire at Savannah into that matter whether there has been any combination or fraud between the persons who delivered the goods and those employed by you, and you will take the advice of proper persons how far such informations will justify you in overhauling those accounts. Till I have examined things at Savannah I cannot see clear enough to make a full report but hope that if the Parliament grants us the supply I shall be able to settle all things so as to put the colony into a very flourishing condition. It will cost me a great deal of labour but I shall grudge no pains for to bring about that good end.

Among other disappointments the great drought and the Spanish alarms last year have rendered the best and most zealous part of the people incapable of supporting themselves this year, but thank God we are rid of great numbers of idle mouths who ran away from the northern division, part for debt, part for fear of the Spaniards. I hear there are several industrious people of some substance who are willing to come up at their own expense if you will give them the forfeited lots. The Spaniards have tempted the Creek Indians with great presents to join against us which they have refused and



yesterday arrived a messenger from the towns that the chief men are coming down to meet me. The Spaniards reported that I had been disgraced in England and that I should never return, and this was confirmed by the Carolina traders. The Creeks declared that they would take no determination till they could see me and their chief men come down to confer with me and I shall see them in a few days at Savannah. This will be a new expense for there must be presents given to them.

Some soldiers who had been in the Irish troops in France and Spain listed in our regiment. I had some information of this at Portsmouth, since which I have found out the whole combination and have taken the furlow which one of them had from the Duke of Berwick's regiment. A young recruit has discovered the proposal they made to him to secure some advance post, destroy the officers and go into foreign service. I have ordered a general court-martial to be held upon them but have not yet received their report. The fellows are very artful and it was with great difficulty we could find out that they had been in foreign service. *Signed*. P.S. I send you a plan of the town of Frederica with the granted lots and the names of the possessors. Some families go away and some are newly come. I send you also the petition of the old freeholders as likewise of those newly arrived. Dr. Hawkins is in the regiment and wants no provisions, therefore is not in the list. I send you a list of the new freeholders and a list of the old freeholders and of their allowances. I send you a return of the freeholders and of the weekly issues to them before my arrival [and] a list of persons on pay in the Trustees' service at Frederica. The establishment of St. Andrew's which consists of 19 of the Trustees' servants and 10 upon hire: I have ordered the ten upon hire to be reduced but it will be necessary to give them one month's pay to enable them to return to their homes. I have also reduced the two carpenters but have continued Mr. Hugh Mackay to oversee the Trustees' servants and one storekeeper and I shall send as many of the Trustees' servants from the other parts of the province as will make up the complement and I hope by their labour to defray the charge of keeping them. The whole of St. Andrew's for keeping and employing the servants will be 229/. p.a. The surgeon of the regiment will take care of the servants so that that expense also will be saved, therefore there will be 31 of the Trustees' servants subsisted and kept to work for 229/. p.a. which upon each will be 7/. 10s. Here are also servants on pay at Frederica: Mr. Auspourger at 3s. per day, surveyor; John Calwell, deputy surgeon at 2s. per day, and the labourers at the same rate. I have ordered the labourers to be turned off as soon as the ships are unloaded in which they assist, and I shall get the service they now do performed by three of the Trustees' servants who are without wages. Their food is mentioned in a list, but it will be necessary to keep a cooper and the two clerks, Smallwood and Dobree, and the storekeeper White upon pay. I have reduced upon the people of Frederica with their own consent, so that they are now to have but 2lbs. of meat per week per head, and they consent to pay even this little which they shall receive. If we do not supply these expenses the people cannot keep together here. I desire therefore an answer as soon as possible what I should do, and I shall write you an account from Savannah of that part of the province. 7 pp. *Endorsed*, Recd. 22 January 1738/9, Read 26 March 1739. [C.O. 5, 640, fos. 198-201d.]

468

October 8.  
Frederica on  
St. Simon's.

James Oglethorpe to Duke of Newcastle. Since my last to you I have reviewed the regiment here and send you the enclosed return by which you will see that it is above complete and that every officer is at his post, two things pretty singular which I believe there are few regiments can say. For fear of sickness I brought over more men than our complement, and our men being all healthy obliges us to pay supernumeraries. I have as yet received no

further advices concerning the Spaniards excepting that some Indians who are come down acquaint me that the Spaniards are making encroachments on their lands on the back of Carolina. We have discovered some men who had listed themselves in the regiment to be spies. We took upon one of them his furlow from Berwick's regiment in the Irish troops. They strove to persuade some of our men to betray a post to the Spaniards who instead of complying discovered their intentions. I have ordered a general court martial for the trying of them who have not yet made their report. One of them owns himself a Roman Catholic and denies the king having any authority over him. In my last I acquainted you that this harbour can receive 40-gun ships with ease and that in case of necessity a 60-gun ship could come in. The great conveniency of commanding the Spanish homeward bound trade, besides the benefits which will arise to England from a plantation where silk, wine and oil will be cultivated, makes me not doubt the continuance of your protection of this colony. *Signed.* 2½ pp. *Endorsed,* Recd. 29 January. *Enclosed,*

468. i. Monthly return of Gen. Oglethorpe's regiment for September 1738. Strength: 6 field officers and captains, 6 lieutenants, 5 ensigns, 60 sergeants, corporals and drummers, 640 privates. 2 pp. [C.O. 5, 654, fos. 170-173d.]

469  
October 12. Jamaica. Governor Edward Trelawny to Council of Trade and Plantations transmitting laws passed 1 March 1737/8 and 19 July 1738; journal of council, 1 September 1737 to 23 March 1737/8 and 5 May to 19 July 1738; minutes of council, 1 September 1737 to 4 March 1737/8 and 30 April to 15 July 1738; minutes of assembly, 15 June to 19 July 1738. *Signed.* P.S. The enclosed key belongs to the box in which are contained the forementioned papers. 1½ pp. *Endorsed,* Recd. 3 January, Read 10 January 1738/9. Box received from John Sharpe, 10 April 1739. [C.O. 137, 23, fos. 1, 1d, 4, 4d.]

470  
October 17. Certificate by George Thomas, lieut.-governor of Pennsylvania, that Benjamin Franklin, clerk of assembly, appeared and declared the following to be a true copy extracted from the journal of the said assembly. *Copy.* ½ p. *Enclosed,*

471. i. 31 August 1738. Resolution of House of Representatives of Pennsylvania continuing Ferdinando John Paris as agent for the province. *Copy.* ½ p. *Endorsed,* Recd. 14 December, Read 15 December 1738. [C.O. 5, 1269, fos. 29-30d.]

471  
October 18. Whitehall. Council of Trade and Plantations to the King, proposing that Nathaniel Bascome, William Riddell and John Harvey be appointed to the council of Bermuda to complete the number of councillors in that island. *Entry.* *Signatories,* Monson, M. Bladen, Arthur Croft, R. Plumer. 1 p. [C.O. 38, 8, p. 297.]

472  
October 18. Whitehall. Same to Duke of Newcastle, transmitting the enclosed. *Signed,* M. Bladen, Arthur Croft, R. Plumer. 1 p. *Enclosed,*

472. i. Affidavit of Daniel Cheston, 22 July 1738. *Copy,* of No. 389. i.

472. ii. Deputy Governor Thomas to Council of Trade and Plantations, 3 August 1738. *Copy,* of No. 389. [C.O. 5, 1233, fos. 200-209d; entry of covering letter in C.O. 5, 1294, p. 112.]



**473** Thomas Hill to Francis Fane enclosing three Acts passed at Bermuda in August last for his opinion thereon in point of law, vizt. Acts for laying a duty on the whale fishery; for adding to the salary of Governor Popple; for paying 100*l.* a year current money to Governor Popple. *Entry.* 1½ pp. [C.O. 38, 8, pp. 298-299.]

**474** Same to same, enclosing two Acts passed at Antigua in May and June last, for raising a tax for paying public debts, and to reduce and settle the rate of interest, for his opinion in point of law. *Entry.* 1 p. [C.O. 153, 16, fo. 75d.]

**475** Same to same, enclosing four Acts passed at Montserrat in April and May last, for more speedy dispatch of public business, to explain and amend an Act for repairing highways, for raising a poll-tax, and for repairing Plymouth Fort and magazine, for his opinion in point of law. *Entry.* 1¼ pp. [C.O. 153, 16, fo. 76, 76d.]

**476** Same to same, enclosing an Act passed at Nevis in May last for raising a poll-tax on negroes and other slaves, for his opinion in point of law. *Entry.* ½ p. [C.O. 153, 16, fo. 76d.]

**477** Royal warrant to Lieut.-Governor William Bull to appoint William Mackay clerk of the markets of Charleston, Beaufort Town and Port Royal in South Carolina in the room of John Beswicke, deceased. *Entry.* 1¼ pp. [C.O. 324, 50, pp. 123-124; another entry in C.O. 324, 37, p. 120.]

**478** James Oglethorpe to Trustees for Georgia. I received a copy of Mr. Verelst's letter dated 4 August and in answer to it am very glad that the prudent measures you took to stop all credit here has had an effect (as you mentioned) suitable to your intentions. I have not issued the 500*l.* sola bills and do not intend to do it till I hear from you. Upon my arrival I sent Mr. Jones from Frederica and have taken possession of the books and effects in the store. Mr. Jones will receive them as soon as they can be delivered him regularly. I demanded an inventory of the stores which Mr. Causton has delivered (but Mr. Jones thinks it is imperfect), I send it herewith. You will see how small the remains of the vast stores laid in are and how insufficient of supporting the colony to midsummer. These accounts are very imperfect, great part of the steers and hogs charged to the account are wild in the woods, others lost, the price of all overcharged. The account of stores sent to Frederica is not allowed by the storekeeper there, he alleging that he can prove they were not delivered, the Darien the same, and a great part of what they received was damaged when sent. I am very sorry to send you such trifling papers but they are the only accounts I can yet get. The estimate of the monthly allowance of provision for servants would lead one into an error, for most of those whom Mr. Causton trusted with servants cannot maintain them and depend on the store for subsistence.

I cannot as yet find that Causton has been guilty of getting for himself though he has unaccountably trifled away the public money. One of the follies that has brought this ruin on is the trusting people that importuned him with goods and provisions of all kinds and then let them discharge the debts by day labour in trifling works. Whilst money was thus squandered the real necessary charges of the colony were not defrayed. The scoutboatmen, rangers and others who defended the province are not paid, and

starving whilst the Trustees owe them money; and yet they were not only contented to stay till my arrival, but when I told them the Trustees' circumstances their affection was so great that they offered to serve on until the Trustees' affairs mended. I thanked them but reduced the rangers since I could not feed them with hopes of what I could not make good. The scoutboats I have for this month paid out of my own money since they are absolutely necessary and I will not charge the Trustees with new debts.

There is a worse circumstance than any before, vizt. the industrious poor people who have saved something by frugality have lodged their little all in the store hoping to have provisions from thence in their necessity, and now if the store cannot pay they must perish for want. The like misery must befall all the Trustees' servants as well as many of the inhabitants whom sickness and misfortunes have prevented from having a crop this year. I have sent your orders to Mr. Stephens and Parker, a copy of which I send you, and their answer which I believe you will think reasonable and a very good expedient. I can see nothing but destruction to the colony unless some assistance be immediately sent us. I support things for a while by some money I have in my hands and is the balance of my account with the Trustees and the rest I supply with my own money for I will not incur debts nor draw bills upon you; and if the effects here go to pay the certified accounts they will not near pay them for they will not amount to half the sum of the debts incurred here that are not certified. If this (I know not what name to give it) had not happened the colony had overcome all its difficulties and had been in a flourishing condition. The Italians begin to like the place and the family of Cameus have wound silk as fine as the last which was made in Georgia. There are a great many mulberry trees in the garden which begin to recover themselves so that next year they will feed a great quantity of worms. There is earth found here that a potter has baked with china ware, they have also found stone, they make a very good brick and lime, there are several yokes of oxen broke, and several carts with horses. Since the idle people have run away there seems to be a spirit of industry stirring but I fear it comes too late if they are not speedily supported. The Trustees' sawmill has worked and has sawed 700 foot a day which if managed right will bring an income.

You recommend it to me to keep the industrious people from real want out of the surplus of the stores after payment of the debts, but as I mentioned above there will be no surplus for they are not sufficient to pay half the debts owing here; and therefore I fear cannot support the people till the news of what the Parliament may grant at the next session can arrive. Had any bills been sent over to me, or was I sure there would no demand be upon what is now in store, I could make shift to support the most valuable part of the people which I shall still strive to do, though with little hopes of success for I must do it out of my own money. I have already expended a great deal and as far as the income of my estate and employments for this year will go I shall sooner lay it out in supporting the colony (till I can hear from you) than in any other diversion.

You ask me the sum I think necessary to carry on the civil concerns of the colony. I reckon the lowest sum that can be expended here, if you expect any success in the improvements in silk and wine and keep up a form of civil government, will be 5,000/. per year expended here. And you are exceedingly right in sending that sum over in sola bills (and that in time) and in not suffering any debt to be contracted here to which the Trustees can be liable. It will be necessary to have a sufficient sum to pay what you are in arrear. I believe that sum may be made out by adding what you owe here to what Mr. Verelst knows from the certified accounts, but I suspect there is a good deal more for I fear by their loose manner of keeping their accounts (since Mr. Burntside whom I left here was dismissed from the store) that they scarcely know how much they owe. It is said that there is above 1,000/. owing to carpenters for building sheds and huts, to



boat hire etc., yet not brought in. Another thing may lead you into a mistake is believing that there is money due to the store here from the account Mr. Causton sent you of goods issued from the store to sundry persons (a copy whereof you sent me) whereas most of those people were creditors who were paid what was due to them from the store by giving them credit with the sloop owners.

The short state of your affairs is that this unhappy man Causton has contracted a debt at home and abroad far beyond what the Trust is possessed of, therefore nothing can be issued from the store except in payment of debt since all belongs to the creditors. There are a great number of people to be assisted here, orphans, widows and the sick. There is a great surplus I fear due by the Trust. Therefore the only remedy I can think of is if the Trustees have not money sufficient to pay the certified accounts and demands in England then to pay what they have equally at an average and out of the next supply (if any) given by Parliament to pay the remainder; whilst I will out of the stores here pay the debts as far as they go and make out an account of the remaining debt which I think should also be paid out of the supply granted by Parliament. When all the debts are paid the Trustees set out anew and setting aside what the expenses of the office and other expenses in England will amount to for the year they should send hither in sola bills what part of the parliamentary supply they think will be sufficient for the improvement and support of the colony. I think that sum cannot be less than 5,000*l*. but whatever it is I will make it go as far as possible, it shall not be exceeded. You have given me orders to build the church and cultivate the lands for religious uses both here and at Frederica. As I will not incur any debts I cannot proceed unless you send me sola bills or order me to issue those in my possession and place in the bank so much of the money appropriated to religious uses as shall answer the bills which you order me to issue.

With respect to Causton's behaviour here I have already mentioned I examined him to know what could be the meaning that he dare to exceed so excessively your orders and thereby plunging the colony into its present difficulties. He answered that he made no expenses but what necessity forced him to and that he could prove that necessity. He entered into several particulars: that the multitude forced him to build a fort for fear of the Spaniards, that the charge of Salzburghers and other charges were not provided for in the establishment sent over by the Trustees, that he received that establishment too late to comply with it. He did not pretend to justify himself in not sending over the balance of his accounts. His negligence to bring his accounts to a balance half-yearly or every year at least has been the occasion of the melancholy situation he has put us in. Some things he alleged that had weight: that the prices of provisions were treble to what they were at my first arrival here from whence we calculated the estimate, that the Spanish alarms obliged him to comply with the humour of the people here, for which reason he was forced to give any prices to sloops to bring down provisions to the colony. He said further that he had not been guilty of any fraud nor converted any of the Trustees' money to his own use. He at first seemed pretty stubborn but upon a second examination he was more submissive. When I was about to commit him he pleaded that it was not usual here to commit freeholders for any but capital crimes, that Watson who was accused of killing a man and had been found guilty by a jury was bailed upon his own recognizance, that he submitted to the Trustees, and that all he had acquired in his six years service and all that he had in the world was laid out in improvements on his lot in the colony and that he would give all security to abide and justify his accounts. He has accordingly given security; he has delivered the stores, books etc. unto Mr. Jones according to your appointment. I have not been able to enter into the rest of the affairs of the colony. The Salzburghers thrive and so do the people at Hampstead and Highgate. There are abundance of good houses built in this

town. I desire to know in what manner you would have me proceed in Causton's affair and I desire you would favour me with your answer to this letter as soon as possible. *Signed. 4½ pp. Endorsed, Recd. 22 January 1738/9. [C.O. 5, 640, fos. 203-205d.]*

479

October 19.  
Savannah.

Rev. William Norris to Harman Verelst. On 15 October I landed here. Gen. Oglethorpe not having any letters from the Trustees recommending me looked on himself as less concerned in the interest of my cause or support of my necessities and considered me only as one who would contribute to the present and growing calamity. He could not give me credit here. He told me that Mr. Whitefield at his departure substituted Mr. Habersham in the ministerial office in which he was expected to continue till Mr. Whitefield's return. I shall stay here till advice from the Trustees. *Signed. 1¼ pp. Endorsed, Recd. 16 March 1738/9. [C.O. 5, 640, fos. 206-207d.]*

480

October 19.  
Savannah.

Thomas Jones to Harman Verelst. You will be informed by the general's letter to the Trustees (of this date) what distressed circumstances the people are under in this colony through want of a sufficient quantity of provisions and other necessities for their support in the store (having no other market to go to), and a great part of those provisions which are most necessary are damaged. I have little to add but that pursuant to their instructions I went to Frederica (in my way hither) and caused their order to be affixed on the door of the storehouse there. When I saw the bad condition some of the stores were in and found several goods there which I thought not altogether so necessary for the people's subsistence such as cinnamon, cloves and other spices, hams at 6*d.* per lb., dried beef at 5*d.* per lb., I asked Mr. White whether he used to send Mr. Causton an account of such stores as were most wanted at Frederica or did he (Causton) send the stores discretionally. He answered that Mr. Causton always sent such goods as he thought fit but often damaged and many things that the people there had no occasion for. I called on Mr. Causton at Oxted (his plantation) and delivered him a letter from the general. He told me that he had a faithful servant whom he would despatch to town that would take care of the accounts and effects in the store. He wanted not my assistance but if he should have need of my advice he'd thank me for it. I was at Savannah six days before he came there (being indisposed). Copies of the Trustees' letters sent per Capt. Piercy to Mr. Causton and others had been received by them a month before our arrival in Georgia, the contents whereof were publicly known by all the inhabitants at Savannah.

I had no access to the books until the general's arrival here on 10th instant, at which time I delivered Mr. Causton the packet (which you gave me for him) as per his receipt enclosed (the general having ordered me to deliver none of the letters until he came). His excellency the next day ordered the stores, books of accounts etc. to be put under my care. I have put my servant into the storehouse (Mr. Causton having likewise a servant of his own there) until I can have the goods inventoried and their quality examined. There are four clerks employed in stating the accounts (which are very confused) but make a slow progress therein. One of the clerks, Hurst a servant to the Trustees, who likewise was employed by Mr. Causton in his private affairs went away in the night-time privately about three weeks ago soon after I came here.

Mr. Bradley would not enter into any examination of his accounts with the Trustees before the general came here, he pretending some engagement of his excellency to him. But before the general came he (Bradley) was seized with a violent fever which endangered his life, but there are some hopes of his recovery. I fear there will appear very great waste and mismanagement in his conduct, his debt to the store (Mr. Causton says)



is very large but I could not have that account hitherto made out. The general is of opinion that all such servants whom the Trustees contracted with to feed and clothe have a just demand upon the store for such provision. I have laid by three months provisions for the servants, to be issued as they have occasion, lest the other demands on the store should exhaust all the provisions before that time. How the Trustees' orders for winter clothing can be complied with I am at a loss, there not being a sufficient quantity of cloth in the store to do it. *Signed*. P.S. When the general ordered me for Savannah he empowered me to secure Mr. Causton's person if I should find that there was any suspicion he would leave the colony. But when I saw the improvements he had made, by far the best in this province, I could not entertain any such thoughts. 2 pp. *Enclosed*, 48o. i. 10 October 1738. Receipt by Thomas Causton of a packet of letters from Mr. Thomas Jones.  $\frac{1}{4}$  p. [C.O. 5, 64o, fos. 209-211.]

481

October 20.  
Savannah.

Same to same. Gen. Oglethorpe having paid unto Abraham de Lean 100*l.* part of 200*l.* for which he, jointly with Dr. Samuel Nunes, Daniel Nunes and Moses Nunes of Savannah, have given bond for repayment to the Trustees, which bond and receipt I have in my custody until I have your or the general's directions. A counterpart of the receipt you have in one of the parcels sent you. The general has advanced the said sum in compliance to the Trustees' desire mentioned in your letter. *Signed*.  $\frac{1}{2}$  p. *Endorsed*, Recd. 22 January 1738/9. [C.O. 5, 64o, fo. 212, 212*d.*]

482

October 21.  
Antigua.

Governor William Mathew to Council of Trade and Plantations. Thomas Pym and William Clark, two of H.M.'s council for Nevis, left that island some time ago, and the number remaining being fewer than seven, the president being very often disappointed of a board to do business, he wrote me to fill up their places. I have wrote to him to swear John Williams, junior, and Thomas Herbert as councillors till H.M.'s pleasure be known, two gentlemen in my humble opinion fittest there to serve H.M. in that station. As Mr. Pym never applied to me for my licence for his absence as Mr. Clark did, his seat at that board is become void unless H.M. please to restore him. John Duer, member of the council for Antigua, some time since by a letter desired to be excused on account of his bad health from attending any more at the council board, and there remaining but six councillors (and three of these almost worn out with age and sickness) I was forced to swear a seventh councillor, John Gunthorpe, a gentleman of first distinction in the island by his affection to H.M. and government, by his capacity and by his estate. The council still, from the many absent in Europe, often meets to do business but in vain. Col. Morris from a bad state of health, Col. Frye from age and having above twenty miles to ride each council day, and Col. Crump from age and sickness very often are incapable of attending. The lieutenant-governor is falling into the same state though he struggles hard to do his duty. These circumstances make it fit I should apply to you for orders to the absent councillors to return or for leave to name others here unless H.M. please to name them at home. I have delivered to Capt. Jones a box to be forwarded to your office containing the following public papers: duplicate of minutes of council of St. Christopher's, 9 February 1737/8-20 July 1738; minutes of council of Nevis, 12 November 1736-12 May 1738; minutes of council of Montserrat for quarter ending 30 September 1738; minutes of assembly of Montserrat for quarter ending 23 September 1738. *Signed*. 4 small pp. *Endorsed*, Recd. 7 December 1738, Read 10 January 1738/9. [C.O. 152, 23, fos. 170-172*d.*]

483

October 22.  
New York.

Lieut.-Governor George Clarke to Council of Trade and Plantations.

On 20th of this month I dissolved the assembly after they had very fruitlessly sat about seven weeks. My reasons you will see in the enclosed papers. I acquainted them at first with the petition of the Bermudians against the Tonnage Act passed in 1734, desiring them as it was passed before my time and as it was a matter of general concernment to the province to furnish me with reasons to be laid before you in support of it. But I do not find that they gave themselves one thought about it, and I presume you will not expect that I should attempt to give any after I have recommended it to them. They suppose as I have been told that you will let the Act lie as it is till you know their reasons; I cannot suppose that they intended by it to strengthen my hands when I insist upon a revenue for a term of years, and yet if the bill be rejected it will have that effect. For both the money struck on that bill as well as that on the Excise bill will be without a fund to subsist on to sink it; and next year they must return to their senses or involve their country in misery, for it cannot I think be expected that I should part with the advantages I have by this means over them on any other condition than that of giving a revenue for a term of years. *Signed.* 1½ small pp. *Endorsed*, Recd. 3 January, Read 10 January 1738/9. *Enclosed*,

483. i. Abstract of proceedings of Assembly of New York, 19 October 1738. It was unanimously resolved not to pass any bill for the grant of money for support of government but with assurance that the bills struck and issued in 1714 and 1717 as also the Excise Act be continued from 1 November 1739 for a sufficient number of years to cancel and destroy those bills. This resolution being conveyed to the lieutenant-governor he answered that he could not give assent to such a bill unless this house settle a support for as long a time and in as ample a manner as had been given to former governors, neither could he consent to the appropriation of the money. 1½ pp.

483. ii. Speech of Lieut.-Governor Clarke dissolving the assembly of New York, 20 October 1738. Your resolutions are such presumptions, daring and unprecedented steps that I could not look upon them without astonishment nor with honour suffer you to sit any longer. *Printed.* 2 pp. [C.O. 5, 1059, fos. 72-76d.]

484

October 22.  
New York.

Same to Duke of Newcastle. Two days ago I dissolved the assembly: the reason for so doing you see in the enclosed papers, together with copy of No. 483. *Signed.* 2 small pp. *Endorsed*, Recd. 3 January. *Enclosed*,

484. i. Same to Council of Trade and Plantations of same date. *Copy*, of No. 483.

484. ii. Speech of Lieut.-Governor Clarke to Assembly of New York, 20 October 1738. *Printed.* *Copy*, of No. 483. ii.

484. iii. Abstract of proceedings of Assembly of New York, 19 October 1738. *Copy*, of No. 483. i. [C.O. 5, 1094, fos. 75-80d.]

485

October 23.  
London.

Samuel Waldo to Thomas Hill requesting copies of papers respecting

Nova Scotia vizt. patent to Sir William Alexander; Alexander's assignment to Sir Thomas Temple and another; Temple's and his partner's division of the patent lands between them; Earl of Arlington's (then secretary of state) order to Temple to surrender the premises to the French according to treaty of Breda. I also desire, if there be any mention in your ancient records or files of the place called Muscongus, being the western bounds of the patent granted to Thomas Leverett and John Beauchamp, that I may be favoured with copies or abstracts therefrom. The use I propose to make of the first mentioned papers is the better to enable me to lay some proposals for the settlement of Nova Scotia before their lordships; and the latter



in order to ascertain the western bounds of the patent granted to Leverett and Beauchamp in 1629, I having a dispute depending with sundry persons in New England who claim a right to the western part of the said patent lands. *Signed*. 1½ small pp. *Endorsed*, Recd. 24 October, Read 25 October 1738. [C.O. 217, 8, fos. 32-33d.]

**486** Order of Committee of Council for Plantation Affairs referring back to Council of Trade and Plantations a report proposing repeal of an Act passed in Antigua on 13 April 1737 for the trial of John Coteen and Thomas Winthrop for an intended insurrection and declaring the same to be high treason. No notice is taken in the said report of whether Coteen and Winthrop were convicted or whether the evidence against them was legal. *Seal. Signed*, W. Sharpe. 1 p. *Endorsed*, Recd. 10 November, Read 16 November 1738. [C.O. 152, 23, fos. 165, 165d, 168, 168d.]

**487** [Duke of Newcastle] to William Shirley at Boston, New England, asking him to do all in his power agreeable to law and justice to hasten the lawsuit long depending between Sir Thomas Prendergast and Mr. Auchmuty. *Draft*. 1 p. [C.O. 5, 899, fos. 354-355d.]

**488** [Duke of Newcastle] to Governor Jonathan Belcher to same effect as No. 487. *Draft*. 1 p. [C.O. 5, 899, fos. 356-357d.]

**489** Harman Verelst to William Stephens by *Brunswick*, Capt. Payne. My last to you was of 2nd inst. No letters have been yet received from Georgia by the Trustees of later dates than mentioned in my last although there are letters in town by way of New York dated 27 August in Georgia. The Trustees are impatient to know the occasion of this silence. Herewith you receive the *Daily Advertizers* for the use of the province from 7 August to 26 October 1738. *Entry*. ½ p. [C.O. 5, 667, fo. 104.]

**490** Council of Trade and Plantations to Governor Alured Popple. We congratulate you on your arrival and wish you all imaginable happiness. We have sent the three Acts you transmitted to us to Mr. Fane for his opinion. We have had Mr. Dinwiddie's proposal under consideration but have not yet come to any resolution upon it. We have represented to H.M. in favour of the three persons recommended by you to be of the council, and we expect you will soon send us a list of proper persons to supply vacancies. You may depend on the continuation of our countenance and assistance as long as you discharge your duty. We expect once in six months a list of such councillors as are either dead or absent, particularly specifying with regard to the last from whom and for how long they have their licence. *Entry. Signatories*, Monson, M. Bladen, R. Plumer. 3 pp. [C.O. 38, 8, pp. 299-301.]

**491** Same to Duke of Newcastle transmitting the following. *Signed*, November 2. Monson, M. Bladen, R. Plumer. 1 p. *Enclosed*, Whitehall.

491. i. Extract of letter from Lieut.-Governor Clarke to Council of Trade and Plantations, 16 September 1738, relating to French designs. [See No. 445] 1½ pp. *Endorsed*, Copy sent to E. Waldegrave, 13 November 1738.

491. ii. Commissioners of Indian Affairs to Lieut.-Governor Clarke, Albany, 30 August 1738, relating to French designs. *Copy*, of No. 445. i. 2 pp. *Endorsed*, as No. i. [C.O. 5, 1086, fos. 134-140d; entry of covering letter in C.O. 5, 1126, fo. 37.]

492

November 2.  
Whitehall.

Same to Governor Lewis Morris. We have received your letter of 11 September and congratulate you on the post H.M. has honoured you with. We send you a list of such queries as are constantly sent to other governors in America and desire you would once a year let us have your answers to them. We shall expect that once in six months you send a list of such members of the council as are dead or absent, specifying with regard to the last from whom and for how long they have their licence. *Entry. Signatories, Monson, M. Bladen, R. Plumer. 2 pp. Enclosed.*

492. i. Queries to Governor Morris concerning situation, trade, population etc. of New Jersey. *Entry. 5 pp. [C.O. 5, 997, pp. 1-8.]*

493

November 2.  
Jamaica.

Governor Edward Trelawny to Duke of Newcastle, enclosing copy of proceedings of a court-martial held at the request of Lieut. Campbell to examine into a complaint lodged by him against his commanding officer, Lieut. Greenhill. You will see that, instead of supporting what he alleged, Campbell brought his own conduct into such a light that the court-martial deemed him guilty of actions for which he deserved to be cashiered, and they accordingly gave sentence that he should be cashiered. But the order for holding courts-martial in this island bearing date 2 August 1734 having the following words: "But when any commission officer shall be guilty of such crimes or misbehave so as to be deserved to be dismissed our service and he receive sentence for the same, that the execution of the said sentence be suspended until the same be reported to us and we give directions thereupon", I therefore beg you will lay the case before H.M. and acquaint me with his royal pleasure. In the meantime Mr. Campbell is suspended. *Signed. 2 pp. Enclosed.*

493. i. Copy of proceedings of court-martial held at Spanish Town in Jamaica, 30 August 1738, on a dispute between Lieut. John Greenhill commanding the late Capt. Harris's company, and Lieut. John Campbell of the said company. The court comprised Capt. William Newton, president, Capt. James Draper, Lieuts. George Concannen, Francis Sadler, John Baillie. The court found that the allegations made against Greenhill were trifling and frivolous; that Campbell had been guilty of breach of orders, desertion and breaking arrest, besides cruelly treating several men under his command; and that Campbell should be cashiered. *3½ pp. [C.O. 137, 56, fos. 143-147d.]*

494

November 4.  
Barbados.

President James Dottin to Duke of Newcastle. Two days ago and not sooner I received your letter of 21 November last, notifying the death of the queen. Permit me to represent again the very bad and defenceless condition the fortifications of this island are in, occasioned by the inhabitants not being able to pay a levy for their repairs. And as our numerous neighbours the French have now proceeded very far in their settlements on St. Lucia and the other islands that were to have been evacuated and which, as I formerly observed, cannot more effectually be carried into execution than by strict orders being sent to the commanders of the ships of war stationed at this and the Leeward Islands to destroy those settlements, so should a rupture happen between us and the French I doubt they would find it no difficult matter to land a great number of men on this island, they being well acquainted with all our bays and landing ports. And as this place is of late much depopulated and many large estates broken up and destroyed and numbers of the planters continue greatly in debt and have little of their own to lose, I believe the resistance the enemy would meet with would not be so warm and vigorous as I could wish, especially too as there would be a very great want of small arms and other stores necessary on such occasions which



we are not able at present to purchase and procure for ourselves. So if you think this island, as being the windwardmost and a key to the rest, worth preserving and keeping, or that it will be disadvantageous to the nation to have it ransacked or stripped, I hope that you (when such a rupture is like to ensue) will interpose to procure a proper guard of ships of war to be stationed here, some to be continually out cruising on the coast to secure the trade while others are in the harbour to prevent an invasion and in aid of our ruinous fortifications, to put which in better order I will always use my best endeavours; and if I could see that effected and we were able to purchase such stores and arms as are necessary I will be bold to say, notwithstanding our neighbours are more numerous and have been greatly encouraged in their trade and settlements whilst we have laboured under many disadvantages, the attacks and resistance we shall then be able to make will show that we are descendants of a nation much renowned for courage, loyalty and good conduct, and that we are not unworthy of our sovereign's favour and protection. *Signed. 2 pp. [C.O. 28, 45, fos. 407-408d.]*

495

November 4.  
Barbados.

Same to Council of Trade and Plantations, acknowledging receipt of letter of 2 August. I hope you have since received minutes of council from 5 July 1737 and journals of assembly from 28 June 1737. But those from April 1734 to September 1735 I suppose were not sent, as their present clerk did not know but they had been transmitted by his predecessor. However, as they were missing I have directed him and the Naval Officer to make out what you mention, which I shall not fail transmitting as soon as they come to my hands. It gives me no small pleasure to have the steps I took with respect to the evacuating St. Lucia and the other islands commended by you, and I wish my endeavour had proved effectual to put a stop to the settlements that were there carrying on; which I am informed are rather now much increased, and will very easily be fully completed if there should be the least notion of a rupture between the two crowns. And then I fear the English nation will too late be convinced that it was a mistaken policy to suffer the French to evade the orders settled between the two crowns for evacuating those islands, and as their court winked at their disobedience proper orders might have been given to have forced them thence. [*Continues in almost the same words as No. 494.*] The members of council now on the island besides myself are Ralph Weekes, John Frere, Thomas Maxwell, Thomas Applewhaite, John Gollop, Abel Dottin, Thomas Harrison, and John Maycock; and absent, John Colleton and Charles Dunbar, and also Richard Salter who had my licence to be absent for twelve months from 8 May last, before which expires, as I am told he does not intend so soon to return, I presume he will obtain your further indulgence. *Signed. 2 pp. Endorsed, Recd. 3 January, Read 10 January 1738/9. [C.O. 28, 25, fos. 77-78d.]*

496

November 6.

Francis Fane to Council of Trade and Plantations. I have no objection in point of law to the three Acts passed in Bermuda in 1738 for a duty on whale-fishery, for an addition to the governor's salary, and for paying 100*l.* yearly to the governor. *Signed. 1 p. Endorsed, Recd. 4 November, Read 14 December 1738. [C.O. 37, 13, fos. 66, 66d., 69, 69d.]*

497

November 6.  
Jamaica.

Governor Edward Trelawny to Duke of Newcastle, enclosing copy of letter to governor of Havana in relation to the capture of two vessels and the detention of two others. If I have written in a civiler strain than I ought upon such a subject, I did it because in talking with Mr. Brown, the commodore here, he told me he did not think himself justified in giving orders to the

captains under his command to take any *guardacostas* that they should meet with and bring them into Port Royal, but only such as are seen or known actually to have made depredations upon H.M.'s subjects or are lurking about evidently to make them; and with these restrictions it is improbable that any *guardacostas* should be taken, for they commit these practices out of sight of our men-of-war when they find a merchantman by himself. The *Drake* sloop that conveys my letter and likewise one from the commodore to Havana is inferior in force, as I am informed, to some of the *guardacostas*, to that particularly that has done the most mischief. So I thought it better not to talk big without being able to back it by force. If these depredations are not put an end to this island must lose its trade and be rendered useless to Great Britain; and the Spaniards find such sweets in them that it is not probable they will leave off until forced to it. If the *guardacostas* were brought in here as often as met with till such time as they leave off these practices, in order to be examined and receive their trial if upon examination there should be a reason for it, it would undoubtedly very much curb them though we should let them go again upon proof of their innocence. Nor could they with any justice I think complain of being so brought in: while the depredations continue every *guardacostas* may justly be suspected as guilty of them. The *Union* sloop, Henry Bennet master, which is one of the two that were carried into Havana and which I have claimed in my letter to the governor, was undoubtedly bound on an illicit trade. But as she was taken on the fourth day after her departure from this island and several merchants have set forth in their petition to me that she had neither anchored or broke bulk or any ways violated the treaties subsisting between the two crowns nor had been nearer the Spanish coast than five leagues, I thought it would be right to demand her, being aware of the ill consequences that would attend the allowing the Spaniards to seize the ships of H.M.'s subjects and condemn them for intentions only. They are so easily alleged and made out to the satisfaction of willing judges that if it is once allowed there can never be wanting a pretence to seize and condemn all the British ships they can master. I enclose a list of the Spanish ships of war in these parts according to the best information I could get from the South Sea factors, who I desired to inform themselves as well as they could of that matter. *Signed*. 3½ pp. *Endorsed*, Recd. 18 January; extract sent to Mr. Keene, 26 January 1738/9. *Enclosed*,

497. i. Governor Trelawny to Governor of Havana; Jamaica, 27 October 1738.

In reply to your letter of 8 July I am forced to give credit to information I have received that the *Sarah* of Bristol, Jason Vaughan master, bound to that city from this island, and the sloop *Union* of this island, Bennet master, both belonging to British subjects, have lately been taken by Spanish vessels and carried into Havana; and also that a sloop belonging to this island and hired by the South Sea factors here to carry negroes to Havana and a South Sea snow named the *Loyal Betty*, George Waine master, bound for England, are by your orders detained in that harbour. I hope you will give orders that the vessels may be returned and reparation made for damages. I have no knowledge of violence or insult committed on any Spaniard in this island. As to the illicit commerce between Bahama and Trinidad, the universal testimony of the people here is that no Jamaican sloop is ever engaged in it. Vessels of the Bahamas are not accountable to me. As proof of my disposition to do justice, the *La Nuestra Senora del Rosario alias La Venus*, Bernardo de Espinosa commander, was brought in here on suspicion of having committed depredations; there being no due proof I gave orders that she might depart. *Copy*. 4½ pp. *Endorsed*, copy sent to Mr. Keene, 26 January 1738/9.

497. ii. List of Spanish men-of-war in the West Indies, 6 September 1738. Barlovento squadron: *San Juan*, 40 guns; *Buen Retiro*, 64 guns; a snow, 14 guns and



14 swivel guns. At Carthagena: *Conquistador*, admiral, 70 guns. At Havana: 2 ships, 60 guns; 1 ready to be launched, 50 guns; 1 *guardacostas*, 24 guns; 1 ditto, 22 guns. Passed by Baracoa for Havana about 24 July: 4 ships of the line of about 60 guns; 2 frigates, 40 guns. At Vera Cruz: *Grand Leon*, 70 guns; *Grand Franco*, 60 guns. Total: 11 ships of the line of battle, 3 frigates, 3 *guardacostas*. 1 p. [C.O. 137, 56, fos. 148-155d.]

## 498

November 6.  
*Chatham* in  
Lisbon River.

Captain Philip Vanbrugh to Council of Trade and Plantations. On my arrival I found the garrison of Placentia as to officers and soldiers in good order and properly clothed and armed, but the fort in a wretched, defenceless condition, the lodgings for officers and men very indifferent and by no means fitted against the severe cold of the winter season. The lieutenant-governor has not any apartment in the fort but is under the necessity of hiring a house in the town. The harbour of St. John's, the chief and by far the most frequented in the island, has no defence at all; a couple of small vessels might go in and destroy all the fishing works without difficulty.

You will see by the enclosed inventory the state of the ordnance stores as also that of the fishery by the general scheme and answers to the several heads of enquiry, wherein you may observe that I have altered the course of the scheme, beginning with Placentia, so proceeding eastward and northward to Twilingate and Fogo which two places are now added to the scheme. I have endeavoured to inform myself by the best intelligence of the state of the trade in general, and by what I can learn the whole is regularly carried on without any material disorders or obstructions between the fishing ships, byboat keepers and inhabitants. The salmon fishery is carried on in the like good order and thrives. The most material and universal complaints are against the great numbers of Irish Roman Catholics yearly brought into Newfoundland and remain the winter season to the very great prejudice of H.M.'s Protestant subjects who dread the consequences that may attend them in case of a war and beg their case may be laid before you that a method may be found to prevent such embarkations in Ireland.

Capt. Medley of the *Romney* carries home two pirates who ran away with a sloop from Bonavista, one of the Cape de Verdes, and were seized in a shallop at Newfoundland, having sunk the sloop. *Signed*. 2½ pp. *Endorsed*, Recd. 30 November, Read 6 December 1738. *Enclosed*,

498. i. Answers to articles in H.M.'s instructions to Governor Vanbrugh. Dated as covering letter. (1)-(14) Complied with to the best of my power but cannot pretend to take any draughts of the coast, harbours etc. without a person properly qualified and a small vessel to attend that service. (15) The fishery regulated pursuant to the Act. (16) No ballast nor press-stones suffered to be thrown overboard. But the harbour of Bonavist is very much damaged by what has been formerly done, which however may be cleared if thought necessary. (17) Stages are seldom destroyed but left standing for the next employer. (18) A sufficient proportion of beach and flakeroom for boats employed by fishing ships is settled by the admirals in the several ports and harbours. (19) All relinquished and settled. (20) and (21) In the negative. (22) The byboat keepers generally bring certificates from the Custom house of their qualification, pursuant to the Act, but the admirals make no report on their return home. (23) Generally complied with. (24) In the negative. (25) Trees are only rinded for the covering of houses, stages etc. necessary and useful for the fishery. (26)-(28) In the affirmative. (29) Not so strictly observed as it should be. The constables are appointed to prevent the selling strong liquors and to see that good orders are kept especially on that day. (30) The French have fishing

ships (as I am informed) of 300 tons in the north part but all go home when the season is over. (31) Answered by the general scheme.

(32) This island not producing any quantity of grain their subsistence depends upon provisions imported from England, Ireland and the American Plantations. They improve no land but what serves for gardens and pasturage. The cattle are all brought from New England annually, from 40 to 60 head cows and oxen, 6-800 sheep, 100-200 swine, the greatest part whereof are made use of in the summer season, and what now remains of former stocks and this season's import is computed to be near 300 head cows and oxen, 600 sheep and 300 swine. (33) No tackle or manufactures for use and wear but what comes directly from England except at some places to the northward where, I am informed, ships from Jersey do steal on shore some prohibited goods. (34) To boatmasters and lowest servants; from 20 to 7 $\frac{1}{2}$  sterling; and paid by bills of exchange, train-oil or fish. (35) A boat (all charges included) the season 150 $\frac{1}{2}$  sterling. (36) During the summer season the servants are altogether employed in catching, curing and husbanding their fish and seem to be very diligent. There are six men employed in each boat, and sell at the same prices as the fishing ships and byboat keepers. (37) After the fishing season is over they are employed in providing necessary fuel for the winter, in sawing boards, building boats, making oars and hoops necessary for the ensuing summer's fishery as well as cutting and bringing timber out of the woods for the building and repairing stages, flakes and fishermen's houses. (38) No furring trade carried on but by the inhabitants, who have no commerce or traffic with the Indians. (39) The houses are built near the waterside convenient for their business. (40) The inhabitants claim a right to the rooms cleared and built by themselves and not occupied by ships since 1685, and what they do not use themselves they let out to hire. (41) At Placentia all their fish is cured on beach, but in all other harbours mostly on flakes. (42) The fishing ships' rooms have been often determined, but the admirals having never left any records of their determination is the occasion of some disputes; but now in a fair way to be settled. (43) Mostly from England and the rest from America. (44) None admitted as admiral but such as produce certificates of their qualification from England. (45) In the negative.

(46) No byboat keepers claim any right or make use of any ship's room before all the fishing ships are supplied nor do they presume to take possession of any in the absence of the fishing ships. (47) Some ships from Bideford and Barnstaple allow shares of their voyages, but from all other ports certain wages. (48) Not exactly complied with, some illegal trade being carried on in the northern parts from Jersey. (49) In the negative. (50) I cannot obtain an account of the quantity but am well informed the whole import is consumed and none shipped off to Spain or Portugal. (51) They sell no goods but to the inhabitants, byboat keepers and fishing ships, for which they are paid bills of exchange and train-oil which are sent to England, and by fish sent to Spain, Portugal and Italy. (52) Fourteen public houses licenced and kept by the inhabitants in St. John's; the servants generally trusted on their own credit. It is common for all employers in the fishery to trust their servants with strong liquors, much to their own prejudice. This is in a way of regulation. (53) It commonly happens that many idle servants are paid their wages in strong liquors, and some more than their wages; and continue in that state of debt by their own choice. (54) 50s. out and 30 home; and are paid in fish for the necessaries supplied them. (55) Drunkenness is a common vice especially amongst the Irish servants of which here are great numbers and occasions the many disorders and thefts frequently committed. (56) It is not customary for masters of ships to discharge their men but



carry the same number home, except it be the passengers who generally return home in the fall of the year, few remaining in the country excepting Irish as per scheme. (57) In the negative. (58) Proper care is taken to prevent this practice. (59) Great care is taken to cure the fish for their own advantage. Ten hogsheds of salt is allowed to 100 quintals. No abuse in salting. Fish is often damaged by the heat of the weather as well as being taken at a distance and kept out by contrary winds and bad weather, but not through any wilful neglect. (60) I can get no account of this article. (61) No French here capable of carrying on trade. (62) I can get no account of this article. (63) No officers of the garrison of Placentia concerned in the fishery. (64) The salmon fishery meets with no obstruction but thieves. (65) I do not find any material complaints against the justices, and I think unless they execute and are supported in their authority the Irish Papists would commit many more disorders than they now do, for which reason I have added three at St. John's, two to the northward and one in the south parts. (66) I have in the general scheme inserted the state of the whole fishery as far as I could have any intelligence. I have also altered the course of the scheme, beginning at Placentia, so proceeding eastward and northward unto Twillingate, which place with Fogo is now added. (67) I am informed it is the custom for all buyers of fish to cull such as they like and refuse any fish that is not well cured or unfit for their turn, and that it must be their own fault if they take what is bad. *Signed*. 6 pp. *Endorsed*, as covering letter.

498. ii. General scheme of fishery and inhabitants of Newfoundland for 1738. The information is arranged under the following ports: Placentia; Trepassy; Renouze; Fermouze; Ferriland; Bay of Bulls; Petty Harbour; St. John's, Quitty Vitty and Torbay; Harbour Grace; Carbonier and Muskita; Bay of Verds; Old Perlican; Trinity Bay and Bonaventer; Bonavist; Fogo; Twillingate.

Aggregate totals: number of ships, 305; burthen, 23,229 tons; men belonging to the ships, 3,891; passengers in the ships, 3,242; number of boats kept, 1,152; by-boatmen, 2,962; quintals of fish made, 350,979; carried to foreign markets, 345,296 quintals (fish), 710 tierces (salmon); trainoil made, 2,135 tuns; prices, 19-20 rials per quintal (fish), 40-45s. per tierce (salmon), 8l. 10s.-11l. per tun (trainoil); value of seal oil made last winter, 2,220l. 17s.; value of furs taken, 712l.; number of stages, 501; number of trainfatts, 224; number of families keeping private or public houses, 472; acres of land improved, 294; inhabitants, 4,978 of whom 4,069 remained in the country last winter; born and died since departure of last convoy, 113 and 57. *Signed*, Philip Vanbrugh. 2 large pp. *Endorsed*, as covering letter.

498. iii. General remain of ordnance and stores under care of William Sanderson, taken by James Wibault, engineer, at Placentia, 1 July 1738. 7 pp. *Endorsed*, as covering letter. [C.O. 194, 10, fos. 93-104d.]

499 November 6. Same to Duke of Newcastle. [In substance same as No. 498.] *Signed*.  
*Chatham in* 2½ small pp. *Endorsed*, Recd. 30 December. *Enclosed*,  
*Lisbon River.*

499. i. Remain of ordnance at Placentia. *Copy*, of No. 498. iii.

499. ii. Scheme of fishery of Newfoundland. *Copy*, of No. 498. ii.

499. iii. Answers to articles concerning the fishery. *Duplicate*, of No. 498. i. [C.O. 194, 24, fos. 134-144d.]

500 November 6. Rev. Israel Christian Gronau to Harman Verelst, thanking the Trustees  
 Ebenezer. for allowance of 10l. for house which now is built by the carpenter of our congregation. It is built so strong and convenient that it will

stand a very long time for being always a dwelling house for a minister of the gospel after my death. The charges of it amount to 40*l.* sterling and would have been something greater if the Salzburghers had not done some work without demanding any payment. Being not able by reason of my short salary to bear the charges I entreat the Trustees to repay me generously 30*l.* sterling. *Signed.* 1 small *p.* *Endorsed,* Recd. 23 January 1738/9. [C.O. 5, 640, *fos.* 215-216*d.*]

501

November 6.  
Ebenezer.

Rev. John Martin Bolzius to Harman Verelst. Rev. Mr. Ziegenhagen has sent to me a copy of a letter you wrote to him about the money which the Trustees have allowed for Ruprecht Kalcher, servant to Mr. Vat. The said money which is 6*l.* 3*s.* 10*d.* sterling is now placed to my account by Mr. Causton and I have satisfied the said Kalcher who desired me to return the Trustees thanks for this favour.

I had the satisfaction of acquainting Gen. Oglethorpe with the building and intention of our orphan-house, beseeching him for some assistance in victuals and clothing. He is very well pleased by it being persuaded of the necessity and great use of it in regard to my congregation and other poor people. But having no power to allow anything towards it without the consent of the Trustees he advised me to lay my petition before them, doubting not but they would find some means for the supporting the orphan-house, for which he promised me to write himself some intercession to them. Please acquaint the Trustees that I want their generous assistance in the maintaining our orphans, widows and other persons who are employed for the sake of the poor children, our Salzburghers being now not yet able to contribute anything to it though they are very willing, being persuaded of the usefulness of this institution. Besides this I beseech the Trustees to approve graciously of the generous design of Gen. Oglethorpe in showing my congregation a particular favour. I entreated him for two families of the Dutch servants which Capt. Thomson brought over to Georgia whom we want very necessary for being our cowherds.

Our Salzburghers intend unanimously to go this winter to their works upon their plantations now fully laid out by strict order of the general for planting rice and other kinds, and having a good stock of cattle which they always use to keep upon good pasturages under the care of some cowherds, for want of which they would lose them, as it happened in the beginning of our settlement to some, or to have them wild and of little use in the woods; therefore they beseech the Trustees to allow those two families, consisting in five heads, for the use of our town to be employed for being our cowherds. I have engaged myself to the general to find victuals, clothes and everything necessary for them, entreating only the Trustees to pay their passage which as the general knows neither I nor the congregation is able to do. It is not to be doubted of that this gift of the said servants will redound to our Salzburghers' great advantage as well as to the said servants' great satisfaction and welfare, being now already mightily pleased and thankful to God and men for being brought by the general's leave to my congregation. Mr. Gronau begs you to recommend the enclosed letter to the Trustees. *Signed.* 3 small *pp.* *Endorsed,* Recd. 23 January 1738/9. [C.O. 5, 640, *fos.* 213-214*d.*]

502

November 7.  
Virginia.

Lieut.-Governor William Gooch to Council of Trade and Plantations. This being the last opportunity I am like to have until the spring I could not let it slip without sending to you printed copies of my speech and of the addresses of the council and house of burgesses at the opening of this session of assembly, which met 1st inst. The enclosed papers will sufficiently testify the good understanding we have as governor and people. But as the continuance of the



Act for improving the staple of tobacco and for preventing frauds in H.M.'s customs, which is to expire in a year's time, was the principal design of their meeting, though I am not without hopes I am yet in some doubts whether I shall succeed in that, not from any dislike the country has to the law but, as is pretended, to the execution of it, which they would not complain of if their inconstant tempers did not hate to be long under any regulation, though never so useful and advantageous to them, especially when they have it before them and may make what alterations and amendments they please. However I am very sure if they drop it the people will soon be convinced of the difference, since by meliorating the quality of that commodity it has evidently raised the price of it here and kept up the value of it in Europe. *Signed*. P.S. Account of H.M.'s revenue of 2s. per hogshead as passed 25th of last month enclosed. 1 *p.* *Endorsed*, Recd. 10 March, Read 15 March 1738/9. *Enclosed*,

502. i. Speech of Lieut.-Governor Gooch to the Assembly of Virginia, commending the continuance of a law which tends so much to the credit and contributes so much to the wealth of Virginia, and directing attention to the late incursions of the Indians. *Printed*. 2 *pp.*

502. ii. Address of Council of Virginia to Lieut.-Governor Gooch, 4 November 1738, with his reply thereto. *Printed*. 1½ *pp.*

502. iii. Address of House of Burgesses of Virginia to Lieut.-Governor Gooch, 6 November 1738, with his reply thereto. *Printed*. 2 *pp.*

502. iv. Account of H.M.'s revenues of 2s. per hogshead arising within Virginia, 25 April 1738–25 October 1738. Balance brought forward, 3,993*l.* 1*s.* 8*d.* Receipts, 2,952*l.* 17*s.* 8½*d.* Disbursements, 2,793*l.* 5*s.* 10½*d.* Balance remaining, 4,152*l.* 13*s.* 6*d.* *Signed*, John Grymes, Receiver-General, audited by John Blair, Deputy-Auditor, 7 November 1738, passed by William Gooch. 2 *pp.* *Endorsed*, as covering letter. [C.O. 5, 1324, *fos.* 147–152*d.*, 155, 155*d.*]

### 503

November 8  
Kensington.

Rev. F. M. Ziegenhagen to James Vernon enclosing abstract of letter from Rev. Mr. Urlsperger; the contents whereof I recommend to your consideration and that you would lay them before the Trustees and,

according to your wonted kindness and favour to the poor Salzburghers at Ebenezer, to second Mr. Urlsperger's motion. *Signed*. 1 small *p.* [C.O. 5, 640, *fos.* 217–218*d.*] *Enclosed*,

503. i. Rev. Mr. Urlsperger to Rev. F. M. Ziegenhagen, 15 September 1738, asking him to petition the Trustees for Georgia to send over some tradesmen particularly a smith and shoemaker, and at least half a dozen unmarried women, for the Salzburghers at Ebenezer. 1¼ small *pp.* [C.O. 5, 640, *fos.* 178–179*d.*]

### 504

November 12.  
Savannah.

Thomas Jones to Harman Verelst. The general has ordered me to acquaint you that among the many charges upon the Trustees above their establishment one is the sending Col. Cochran's detachment of the regiment from Savannah to the garrisons on the frontiers and building boarded huts for them. Part of the latter expense was performed by the Trustees' servants, the rest by hired men at a great expense: this whole, as it was for preserving the troops, should be laid before the Parliament. The general apprehends that the extraordinary charges accruing from the water carriage and providing cover for above 1,000 persons who came over in the two regimental embarkations will amount to near 1,000*l.* but as he cannot yet obtain the accounts can say nothing certain about it.

I began to take an inventory of the Trustees' effects in the store the 24th ult., which was delivered me by William Ewen (Mr. Causton's servant). But on Saturday following he (Ewen) together with Houston, one of the clerks, went away privately for Carolina

and are not yet returned. On the Monday following I applied to Mr. Causton (as I did the three following days) that he would, pursuant to the Trustees' order, proceed in delivering their effects into my care – his answer was that he could do nothing therein without William Ewen who was entrusted with all that was in the stores. On Thursday I was informed that Mr. Causton had sold some of his livestock and had offered the whole to sale, that his wife had declared they would soon leave the colony, being invited thereto by their friends. I immediately applied to Mr. Christie, the recorder, and gave information on oath before him of the reasons I had to suspect that Mr. Causton designed privately to withdraw from the colony without leave obtained whereby the Trustees would receive great damage; and having obtained his warrant for apprehending him (which was done accordingly) had him before the recorder where he entered into an obligation with two sureties (Mr. Parker and Mr. Anderson) not to depart from the colony without the Trustees' leave. I advised the general of all that had happened who, upon the receipt of my letter, came in an open boat and arrived here at two in the morning yesterday and, after having dispatched an officer to the lieut.-governor of Carolina with orders to apprehend William Ewen, Houston and Hurst (one other of the clerks who had absconded some time before) and to bring them hither, returned immediately to the frontiers, being obliged to do so on account of the following unfortunate situation of affairs there.

There was a mutiny at St. Andrew's, of which the following is the best account I can get. The soldiers from Gibraltar were accustomed to have provisions from the king besides their pay. The king ordered them to have six months provisions at their arrival here which afterwards was to cease. That time being now almost expired the Gibraltar men in the camp at St. Andrew's, when the general went there, demanded provisions and several other things in a mutinous manner to which he gave a mild answer. But instead of being appeased, they grew more outrageous and would have crowded into the fort, broke an officer's sword and wounded him who stopped them at the barriers. The general took one of them with his own hands. Being prevented from securing the fort they ran down to the camp where they took up arms and strove to force the new soldiers to join them. The general and officers (having nothing but their wearing swords) ran down to the camp to disperse them before they could form. The general himself disarmed one of the ringleaders in the mutiny who fired upon him so near that the ball grazed above his shoulder and the powder singed his clothes. Capt. Debrisay seized another as he presented but missed fire at him. Capt. Maccoy having wrested a loaded piece from one of the mutineers fired and wounded another who that instant was levelling and fired a shot at the general. The officers secured six of the ringleaders and dispersed the rest. The new raised men were at first frightened by the Gibraltar men but afterwards came out to obey their officers. The general assembled all the men next day without and examined everyone singly whether their officers had treated them justly. They all said they had no cause of complaint against their officers but that when their provisions were stopped they were afraid they could not live upon their pay. There is a court-martial to be held for the trial of the mutineers as well as for a difference that is between Col. Cochran and Capt. Maccoy. Capt. Dunbar who is going for Charleston being in haste, have no time to add. *Signed.* 2½ pp. *Endorsed,* Recd. 22 January 1738/9. [C.O. 5, 640, fos. 219–220d.]

**505** John Crosse jnr. to Trustees for Georgia, making proposals for supply  
 November 13. of wine to Georgia. *Signed.* 3 small pp. *Annexed,*  
 Teneriffe. 505. i. Tenerife, 24 November 1738; same to same seeking monopoly  
 of supply of wine to Georgia. *Signed.* 4½ small pp. [C.O. 5, 640, fos. 221–224d.]



## 506

November 13.

Memorial of John Sharpe, on behalf of the inhabitants of Jamaica and of the merchants trading there, to Duke of Newcastle. In the convention now under consideration touching the trade of British and French in America and the ports in which the ships of each nation are permitted to enter, Donna Maria Bay and Tiburon Bay were omitted from the French proposals. It is of the utmost consequence that these ports should be kept open; it is hardly possible to make the homeward voyage from Jamaica through the windward passage without touching at one. Tiburon Bay is necessary for deep laden trading ships prevented by the current from reaching the other. There is no likelihood of the British attempting illicit trade in these places for there are very few settlements there. By the 16th article of the treaty of 1686 the French have liberty to fish for turtle at both the islands of Caimanas whilst by the 5th article the English are restrained from fishing on any French island etc. The English should have the same liberty of fishing for turtle on the south and west ends of St. Domingue or the French should be restrained from fishing at the Caimanas. *Copy.* 5¼ pp. [C.O. 137, 48, fos. 47-50d.]

## 507

November 14.  
Whitehall.

Duke of Newcastle to Council of Trade and Plantations, directing that drafts of a commission and instructions be prepared for James Glen, appointed Governor of South Carolina in the room of Samuel Horsey, deceased. *Signed.* 1 p. *Endorsed,* Recd., Read 22 November 1738. [C.O. 5, 366, fo. 148, 148d.]

## 508

November 20.  
New York.

Philip Cortlandt and Daniel Horsmanden to Council of Trade and Plantations. In obedience to H.M.'s commission of 3 June 1737 for reviewing a judgement given on a former commission in a controversy between the Mohican Indians and Connecticut, we acquaint you that the commission was published by the New York commissioners on 10 May last and the court opened; having taken steps for directing the proceedings, we adjourned to 20 June to meet at Norwich, Connecticut, near 200 miles from hence, a place near the lands in controversy and most commodious for the parties interested and a convenient distance for the Rhode Island commissioners.

We accordingly attended at that place at the day appointed and with the governor of Rhode Island and six of his assistants endeavoured to proceed on our duty and demanded the former judgement and proceedings to be laid before the court, but were opposed therein by the agents for the government of Connecticut who said they were summoned to appear there to answer the complaint of the Mohicans and moved that the chief sachem of the tribe might appear in the first place; for they urged that without him they had no adversary. And herein they were countenanced by the governor of Rhode Island and five of his assistants who were of opinion that, as the commission directed the chief sachem and the parties interested to be summoned in the first place, the chief sachem ought to appear before any other step taken. We were at a loss we must confess to know what the drift of the Rhode Island commissioners could be in giving so strenuous an opposition upon this point, for by an examination of the judgement and proceedings we apprehended we might be most likely to be informed who would be the proper parties to the suit. But in the process of the proceedings that matter was sufficiently cleared up.

However, demand was made of the officers to return their several summonses and as to the Indians the return was that the officer had summoned all the principal heads and all the Mohicans he could find. Hereupon counsel for the Indians represented to the commissioners that the tribe had no sachem, that they had of late years been much

dissatisfied and disgusted with their sachems for that they had betrayed the tribe and sold or endeavoured to sell all their lands to the government, and they were determined to have no sachem at all. But whether they had or not, they urged to be no ways material to the present controversy, for that the lands in dispute had been long since conveyed by the sachems at several times with the consent of the tribe to the family of the Masons in trust as perpetual guardians for the preservation of those lands to the tribe for their planting and hunting grounds for ever (saving some advantage thereout provided by those deeds for the family of the Masons), and that these conveyances had been confirmed by several Acts of the legislature of the colony, that a survey of the boundaries of those lands had been made by order of the government and put upon the records of the colony, and that the legal estate therein was in the Masons and offered to produce the evidences themselves to manifest those assertions.

Here counsel for the Indians were interrupted by the agents of the government and told that they had no right to speak for the Indians, that they could have no authority for so doing; and of this opinion were the governor of Rhode Island and a majority of his assistants, though the facts alleged were not denied by the agents for the government. However that matter was waived for some time. But though an inspection into the former judgement and proceedings did now appear the more necessary, supposing what counsel for the Indians alleged to be true, vizt. that the legal estate in the lands in the controversy was in the family of the Masons, and we might therefore reasonably expect a satisfaction as to that particular by reviewing the former proceedings as directed by the commission, and, as we apprehend, if the fact should appear to be so, it would be immaterial whether the chief sachem appeared or not or whether the tribe had a chief sachem or not, as was observed by one of us and strongly insisted, to have the proceedings laid before the court. But we were overruled by the Rhode Island commissioners who gave their opinions that we must first have a chief sachem before us, that without him the tribe could not appear for that would be a body without a head.

Counsel for the agents for the government had intimated at the bar that they could produce a chief sachem; and the Rhode Island commissioners demanding of counsel for the Indians whether they knew of any chief sachem (who perhaps finding from what had fell from the bench as well as from the counsel and agents for the government that a chief sachem was become necessary as this case was conducted) they declared John Unchas the rightful sachem; and upon the question to the agents for the government, they declare Ben Unchas. Hereupon the Rhode Island commissioners ordered the chief sachem of the Mohicans to be called and they both answered and claimed the right. Upon this issue the Rhode Island commissioners proposed that the court should proceed to an enquiry into each of their pretensions and decide the right between them by the examination of Christian witnesses, and upon the question it was carried in the affirmative by all the Rhode Island commissioners; though we must observe to you that had the question been asked of the tribe who were present (as was proposed by their counsel) who might be thought to be the best judges of their own affairs they would soon have decided the matter and have spared us the trouble which we thought altogether unnecessary. But this the Rhode Island commissioners would not suffer to be done but endeavoured rather to amuse and divert us from the merits of the cause in order to impose a chief sachem upon the Indians against their inclinations the better to suit a purpose which at that time we could not be aware of or, if we had, could not have been able to have prevented. Many Christian witnesses were examined and some days spent about it, some testimony taken in writing and some orally. At last it was insisted by the counsel for the Indians that the tribe should be examined, but that was absolutely denied by the Rhode Island commissioners though at length upon further consideration they



proposed that a number of them not exceeding six of a side should be admitted to give their testimony upon this point. And we must observe to you that in the event it came out that by the constitution of the tribe the sachemship was hereditary and that John Unchas was sachem *de jure* and Ben Unchas had been sachem *de facto* but had been twice solemnly deposed by the tribe for having been betraying them as far as in his power by taking upon him to dispose of their lands to the government of Connecticut, and to show that they had deposed and renounced him an instrument was produced and proved to have been signed by about sixty Indians. Though it was objected by counsel for the government that there were not in all above thirty Indians which were properly Mohicans, yet upon examination it was proved that allowing there were not above thirty of the tribe nevertheless there were eighteen of that number had signed that instrument. It seemed to us that some remnants of neighbouring tribes which had been broken and dispersed by the wars had at length been incorporated into the Mohicans and had signed this instrument as parties interested. But notwithstanding these facts thus notoriously apparent, the Rhode Island commissioners resolved and declared Ben Unchas chief sachem.

The government of Connecticut being thus possessed of a chief sachem according to their inclinations, counsel for the agents moved on behalf of Ben that three particular persons might be assigned him as counsel which was granted by the Rhode Island commissioners. This point being thus determined, counsel for the Indians moved that John Mason on whom the trust before mentioned had devolved might be admitted to be heard by his counsel as guardian and trustee for the Indians with respect to the lands contained in the judgement to be reviewed. Here the absolute necessity for the commissioners inspecting the former judgement and proceedings did in our opinions appear in the strongest light, for we could not but foresee that the counsel in support of this motion must of necessity open the merits of the cause; and though one of us insisted and demanded again and again to have them laid before us yet it was as constantly opposed by the agents for the government and overruled by the Rhode Island commissioners, but at length with the greatest difficulty a copy of the judgement was suffered to be produced. In maintenance of this motion the counsel for Mason and the Indians produced the several original conveyances from the Indians to the Masons and several Acts of the legislature of the colony approving and confirming them whereby the trust did most evidently appear to us. But notwithstanding these facts were so notorious, the Rhode Island commissioners overruled us and unanimously resolved not to admit Mason a party to defend the right of the Indians or to hear the counsel in their behalf whom Mason had brought thither a journey of 100 miles, by which means only we could expect to come at the merits of the case. We choose rather not to trouble you with mentioning the rudeness with which the governor of Rhode Island and some of his assistants treated us. But we cannot forbear observing their absolute refusal of an entry of some part of the proceedings in the minutes and our dissents thereon, their great impatience also which they all along showed at our offering in open court the reasons for our opinions on every point wherein we differed, and they would offer none of their own but summarily determine everything by putting the question and collecting the votes of the commissioners, of whom they seemed all along to have been assured of a majority.

The case having been thus conducted, we assured you we had no hopes of seeing justice done by an equitable and impartial examination and determination upon the merits of the case, but found it in vain to expostulate with the Rhode Island commissioners or to sit any longer amongst them after having spent ten days in many hours close attendance morning and afternoon to so little purpose. We therefore declared to

them our dissatisfaction with their proceedings whereby a collusive defence of the Indians' title to the lands in controversy was suffered to be made and finally conducted by persons who plainly appeared to be members of the corporation and therefore adversaries of the tribe which manifestly tended to defeat the end of H.M.'s commission, and therefore we could sit no longer amongst them and so withdrew. As we were anxious of discharging the trust H.M. honoured us with to the utmost of our abilities, we were careful of taking notes of the proceedings as exactly as we could which has served to lay the facts particularly before you in a representation and certificate herewith enclosed. But we chose likewise to offer you this general account of them for the sake of saving your time, which however may be justified by reference to the particulars set forth at large in the representation if it may be thought of use which we submit. *Signed.* 6½ pp. *Endorsed,* Recd. 9 January, Read 18 January 1738/9. *Enclosed,*

508. i. New York, 10 August 1738. Representation of same to same. [*The substance of the greater part of the representation is the same as covering letter but in more detail*] In the course of the evidence the following particulars appeared in full proof as well by the testimony of witnesses Christian and Indian as by writings, vizt. (1) By the constitution of the Mohicans from the time of Unchas called the Grand, chief sachem at the first arrival of the English colony in Connecticut, the chief sachemship was hereditary in the Unchas family from father to son. (2) John Unchas is next male heir to Mahomet who lately died in England. (3) Oweneco, second sachem since the memory of the English, had three sons, Joshua, Mahomet and Caesar. Joshua and Mahomet died in the lifetime of Oweneco, the former without issue, the latter left a son named Mahomet who died lately in England. This Mahomet being a minor of 10 years of age, Caesar (Oweneco's third son) was made chief sachem in confidence that he would resign to Mahomet when he came to manhood. Caesar dying shortly after, Major Ben Unchas (the fourth and youngest brother of Oweneco) assumed the sachemship and soon after died. (4) Counsel for the Indians produced an authentic copy of an Act of Assembly of 20 October 1692 declaring that Mahomet is and ought to be the next rightful sachem after the death of Oweneco. (5) On the death of Major Ben Unchas, there was an interval of some years without any chief sachem. About seven or eight years ago, the present Ben Unchas was appointed, but taking upon him to dispose of the lands of the tribe to the governor and company of Connecticut the tribe deposed him in September 1736 and set up Ann, daughter of Caesar, as head or queen, who married Sam Unchas, son of John now claiming the chief sachemship. (6) On 2 August 1737 an instrument was signed, following the intercession of the governor of Connecticut, restoring Ben Unchas as chief sachem. John Richards testified that the Indians fully understood the instrument, Jonathan Barber, missionary resident amongst the Mohicans, testified that they did not. (7) In March 1738 the greatest part of the tribe signed instruments again deposing Ben Unchas and likewise deposing Ann who had deserted her first husband to marry the son of Ben. (8) Ben Cachego an old Indian testified that Ann was made queen regent till Mahomet's return. By the stratagem of some agents for the government she was married to the son of Ben Unchas in order to make a stronger alliance with the blood royal.

As evidence of the estate which the Masons have in trust for the Mohicans, the following evidences were produced. (1) Deed, 15 August 1659, whereby Unchas and Wawequaw, sachems of the Mohicans, granted to Major John Mason all the lands possessed by them. (2) Minute of proceedings of assembly at Hartford, 14 March 1660, noting that Major Mason had surrendered to the colony the jurisdiction over the said land. The laying out of the lands was left to Major Mason and the court



ordered that the Indians should have sufficient planting ground at all times. (3) Deed, 20 May 1661, whereby Unchas, Oweneco and Attawanhood, sachems of the Mohicans, granted to Major John Mason all the lands belonging to them which should be sold or disposed to any person. (4) Deed, 14 December 1665, whereby the same sachems ratified the deed of 1661, confirming to Major Mason and heirs half the profit of all lands and woods, and bound themselves and their heirs not to sell or dispose of the land without consent of Major Mason. (5) Deed, 9 May 1671, whereby John Mason entailed to Unchas, Oweneco and Attawanhood, a parcel of land at Mashawtackuck. (6) Deed, 6 March 1683, whereby Oweneco passed over to the Masons his right in land between New London bounds and Trading Cove brook. (7) Deed, 6 June 1689, purporting to be a confirmation to Daniel Mason. (8) Acts of court of the colony, 13 October 1692 and 20 October 1692, confirming lands to Oweneco and his son Mahomet.

It was manifest to the commissioners, as we conceived, that the legal estate in the lands in controversy had from 1659 been vested in the Masons in trust for the Mohicans, and that although the first conveyance was an absolute deed yet the Indians had done nothing towards the disposition of those lands so as to part with their entire interest in them. The agents for the governor and company insisted that as the original conveyances were absolute to Major Mason and antecedent to the charter of Connecticut, and as Mason was a grantee of the charter, the king's subject having so purchased of aliens, the lands were thereby vested in the crown and consequently passed to the grantees of the charter. Yet these conveyances were all along understood by the Masons and the government of Connecticut to be in trust. *Signed.* 12½ pp. *Endorsed*, as covering letter. [C.O. 5, 1269, fos. 31-44d.]

509

November 20.  
Frederica.

James Oglethorpe to Ald. George Heathcote. I am here in one of the most delightful situations as any man could wish to be. A great number of debts, empty magazines, no money to supply them, numbers of people to be fed, mutinous soldiers to command, a Spanish claim and a large body of their troops not far from us. But as we are of the same kind of spirit these difficulties have the same effect upon me as those you met with in the City had upon you. They rather animate than daunt me. There is no doubt but that the debts due to the merchants and others for supporting the colony in the time of the greatest dangers ought to be paid for by the Parliament. Shall they who ventured their effects to prevent a colony's being swallowed up by a Spanish invasion be ruined for their public spirit? Shall the poor men who are here in garrison in the Trustees' service on the utmost frontiers of America starve for want of the pay which is due to them? I am persuaded the Commons of England will never think so. If the Trustees will but concert and apply to Parliament for a sufficient sum they certainly will succeed. It is the interest of the merchants who have the certified accounts to assist them. The Parliament ought to enable the Trustees to pay these debts for the following reasons. They granted 20,000*l.* for the whole expense of the colony but when they separated the military from the civil they granted but 8,000*l.* for the civil expense, supposing that a regiment would arrive there which would take off the military expense. But it was near a year before the regiment arrived all which time the Trustees' officers were obliged to continue the expenses for the defence of the province by maintaining the militia who were under arms, by paying the scout-boats, rangers and garrisons, and supplying the Indians with arms, ammunition and necessaries in order to keep them in readiness against the Spanish invasion. These measures occasioned debts, but these measures preserved the province and frustrated the attempts of the Spaniards from Cuba and Augustine, nay even

prevented their daring to attack so much as one outpost. But supposing on the contrary the Trustees' servants here had not ventured to buy provisions on credit but had on the ceasing of the military establishment and before the arrival of the regiment abandoned the garrisons, the Spaniards might then have taken possession of them without so much as an hostility and the nation would have had no remedy but applying to commissaries or entering into a war. These measure therefore ought to be justified and the Parliament, if applied to, will doubtless enable the Trustees to pay those who so frankly risked their substance for the public service. I need not conjure you by your friendship to me for I know your own public spirit will make you animate our friends to apply to Parliament and push for such a supply as may pay the debts and continue to support the improvements of the colony. I shall add nothing more than to assure you that in whatever part of the world I am neither distance nor time can lessen the sincere affection I have for you. *Signed.* 5 small pp. [C.O. 5, 640, fos. 225-227.]

510

November 20.  
Frederica.

Same to Duke of Newcastle. On 8 October I wrote to you, since which I have been at Savannah to meet the chiefs of four towns of the Creek Indians who came down thither to assure me of their fidelity to H.M. and to give an account of the great offers the Spaniards had made to incite them to make war with the English, which they refused with great steadiness. Those soldiers who came from Gibraltar hither have mutinied. The king gave them provisions and pay at Gibraltar: he gave them but six months provisions here, after which they were to live upon their pay. On the expiration of their provisions they demanded a continuance of them and I not being able to comply with their demands, they took arms. One of them fired upon me; after a short skirmish we got the better of them. One of the officers was slightly and one of the mutineers dangerously wounded and five are secured prisoners to be tried by a court martial. We have strong reason to suspect that our neighbours have tampered with these men, many of them speak Spanish and some of their boats came up hither before my arrival. When the court martial is over I shall acquaint you with the event thereof. *Signed.* 2½ pp. *Endorsed,* Recd. 29 January. [C.O. 5, 654, fos. 174-175d.]

511

November 21.  
Savannah.

William Stephens to Trustees for Georgia. My last was of 27 September with a supplement of 29th, copy sent herewith with my journal continued to this day inclusive, in which journal reference being had to my notes of 30 September and 9 and 16 October it will appear how unfortunate it proved that the packet I had then sent met with such unexpected delays, and by what ship it since went I have yet received no advice, which indeed has given me much uneasiness; but I assure myself the attorney-general has taken due care in it to whom by your orders I recommended it, well hoping now that the season being come again when ships will be more frequently going for England than for a while past we shall not again be so far to seek for opportunities as we have lately been. It was for that reason I suffered the time to pass to an unusual length since my last without writing, being well informed there was no prospect of any ship likely to sail till about this season. I am now to acknowledge the receipt of several letters and papers since come to hand, vizt. by Capt. Thomson on 15 October two boxes directed to me enclosing a great number of letters partly for the people of this place and partly for the south, which boxes the general being then in town were very rightly carried to his quarters where he readily found such as immediately appertained to himself; and such as were directed to me I took, the dates whereof were 4 and 11 August. And since, by the arrival of Capt. Reid at Charleston 17 October I had from thence two originals of 4 August whereof those I



received by Capt. Thomson were copies. The accounts of provisions and necessities received and credits given by Mr. Causton since midsummer 1737 came to hand also in duplicates by those two ships, Messrs. Crockatt & Seaman, partners, sending me from Charleston what came by Capt. Reid with a letter acquainting me it was directed to their care.

The present state of affairs here is such and so perplexed that it would require an abler pen than mine to give a full detail of it: wherefore out of great superabundance I must content myself with a few observations of what I apprehend more immediately requisite to offer for your consideration; and the enquiry now making into Mr. Causton's accounts drawing most people's attention to see what the issue of that will be wherein also I have your particular commands to learn as far as I can what reasons (if any) can be given for divers steps taken by him, as in your letter of 4 August is specified. I have diligently sought to discover what secret purposes might carry him such lengths as it appears he went in buying provisions for the stores to an uncommon degree and many things even to be thought not necessary, wherein though I cannot in my own private opinion vindicate his proceedings, knowing himself exceeding your orders, yet in common justice I am obliged to say that I have not been able hitherto to trace any marks of fraud or any collusion with the sellers of such provisions. But so far as I yet perceive it has been owing to an unadvised rash judgement of his own which (to speak plainly) he might err in the sooner for an overweening conceit of his superior discernment to others who perhaps would have been better advised before they had ventured so far. As I saw no likelihood of my coming soon at any further knowledge of this matter I believed it would not be amiss to attempt in a little free conversation with him how far any judgement might be formed from what answers he would give to such questions as I should put to him thereon which I would do as from myself though in substance the same as I received from you. I did so at a fit opportunity and soon afterwards put in writing, as far as I could comprehend what he meant, vizt. he told me that all the goods mentioned in the certified accounts as delivered to particular persons are charged to their respective accounts, by which the reasons for so doing will appear fully when those accounts are perfected; that he thought it necessary for him to buy what provisions came to market because we knew not how soon it might be out of our power to come at any, wherefore in keeping the stores full he kept the people together from dispersing till the king's forces arrived; that many of the goods supposed to be not necessary have been found so as well for discharging establishments in specie as also for issuing (with a reasonable advance in the price) instead of money to discharge the necessary expenses of the colony, whereby the people's wants have been supplied cheaper than from common hucksters.

These as near as I could collect them were such reasons as he thought proper to give for what I asked him in free conference betwixt ourselves; what weight those reasons carry with them I submit. As I must presume Mr. Jones will particularly inform you what loss may have been sustained by provisions that have proved not well when bought or been spoiled for having been kept too long in store, I would rather choose to leave it to him than send an imperfect account or such as I could not warrant. Some waste cannot easily be prevented in such quantities of many kinds, and some Mr. Jones called me to see when brought together appeared to be a considerable quantity of dried beef, tongues, hams etc. quite wasted. Among the woollen goods also some of old standing I observed had received damage from the rats and moth, but I conceive the loss in that article will not be very grievous or extraordinary. In the meanwhile the enquiry into those books and accounts is carried on with all the appearance of dispatch that may be and with uncommon rigour, Mr. Causton says, which he often complains

of and of his being personally ill-treated by Mr. Jones. But I avoid as much as possible meddling in those contentions and only observe that Mr. Jones possibly might without prejudice to the public lay aside a little of that heat wherewith he sometimes appears to be actuated, and Mr. Causton may consider now whether in time past he has not given cause to others for the like complaint when his power was so extensive. Whatever be the event I truly think that in case he should appear culpable in breach of his trust he has shown no tokens of regard to the parable of the unjust steward by making friends with the unrighteous mammon: for I fear that but few would lament his fall in this place, so many has he disobliged in giving way to those tormenting passions of jealousy and revenge. This I say not out of any illwill, for in truth I bear him none, but I sincerely wish he may acquit himself perfectly to the satisfaction of his constituents and everyone else.

The cargo of foreigners which Capt. Thomson brought with him came at a very unlucky time to him when so few of the inhabitants were able to purchase servants. But through the general's favour in allowing credit to divers who are likely to make a right use of them about half are taken off the captain's hands here, and the remainder he hopes through the like kind assistance to dispose of in the south. Let me not offend if on this occasion I offer a poor opinion of my own relating to several importations of foreign servants into this province, which I presume to do from what I have been a pretty close observer of, and so far as concerns the public in what benefits the Trust are to expect from many of them, I am persuaded in myself that had they had their freedom the first day they came ashore with each of them a piece of land to sit down on and (add to all this) even some small allowance also for their support a little while out of your stores they would ere now have shown their industry in clearing and cultivating a good tract of land and found their labour well recompensed as well as the country been more improved abundantly. It is certain from experience they will work heartily for themselves and it is as certain and manifest that very few of them will take due pains for others or be driven by them, but like Hudibras's horse the more his master used the spur the less the sullen jade would stir. This I see daily verified with relation to the Trust servants, some few but very few instances excepted, and as for those who are in private service we hear continual complaints from one or other of their laziness etc. Nevertheless it must be owned there is much difference to be found in regard to the several countries they come from, and therein I must absolutely give the preference for sloth and stubbornness to those people who came with Capt. Hewett last winter whom the Trust had so large a share of and have found so little benefit from whether in farming or domestic labour in the town. So far as yet appears it must be said these poor people that came now with Capt. Thomson are as promising for diligence as any I have seen among all that came before them, but I fear their labour will be hardly tantamount to the support of so many old women and children as are among them unless we can happily see such employed hereafter in the silk manufacture or such like, which there is good grounds to hope for.

I do not find that the use of the crane, which you take notice of to me, has turned to much benefit of the public by appropriating the hire of such as worked at it for private uses to that end; for it has been usual with masters of vessels, great or little, who imported goods for private persons to work the crane with hands of their own, but as your expectations are now known I hope they will be observed. Your commands relating to Oakes, who is apprentice to Young the wheelwright, were obeyed carefully as you will observe in my journal of yesterday's date. I am sorry that in more places than one of that journal I thought my duty obliged me to take notice of the discord arisen betwixt Mr. Norris and Mr. Habersham, wherein I offered my poor opinion



what I thought to be the real cause; and it is with perfect impartiality. Mr. Habersham's care of the school is unexceptionable, and I look on him as a diligent and useful man in divers capacities. Mr. Whitefield when here by his preaching and assiduously applying himself to promote piety had greatly won the hearts of his hearers, wherein I hope I did him justice by representing him to you in a due light at sundry times such as I thought (and still think) he deserved. But the misfortune seems to lie in this, that the fraternity (whereof if I am rightly informed he is one) seem to speak and think lightly of the generality of the clergy of the Church of England and condemn them for indolence etc. (not to say worse). In consequence of which they would be magnified as men of more zeal in religion which they are apt to carry to too great a length as I conceive and even to assume the power of opening and shutting the gates of heaven. Mr. Whitefield himself as I apprehend seems to pay no great compliment on his brethren of the clergy in his preface to a sermon preached at Bristol on the necessity of a new birth, and men of such sentiments ought the less to be wondered at if they dislike another who in some points of doctrine may not think altogether alike with themselves especially if such person happens to fill the pulpit which they would choose for their own, which I take to be in a great measure the case here, though Mr. Whitefield is absent, Mr. Habersham often professing in all conversation that they were formed into a society by the appellation of friends whom nothing in this world could separate and whatever one of them said the other would maintain; wherefore it is pretty plain from hence that Mr. Norris was to expect no quarter from them. As to myself, whilst Mr. Whitefield was among us, I was wanting in no due regard to him nor esteem for him; and now Mr. Norris succeeds, who is so well recommended and authentically appointed, I shall endeavour whilst he continues to behave as hitherto he has done to show him all the marks of friendship I can and do my utmost to see that he is well supported, which I think there is little appearance that he will stand in need of since he rises daily in the good opinion of most people of sense.

I purposed to have added a few other matters which my present thoughts suggested to me as proper to be laid before you, but am unhappily broke in upon by the arrival of Sgt. McKenzie with a large packet from your office containing various dispatches and letters as well for the general now at Frederica as others both in the south and north parts of the colony, among which I am now too truly informed of the certainty of Col. Horsey's death which before we were unwilling to give credit to. The loss of so valuable a friend demands a debt of nature which grief usually pays; and you will forgive me if at present I break off here and lay hold of the next first opportunity of addressing you farther. *Signed.* 5 small pp. *Endorsed,* Recd. 29 January 1738/8. [C.O. 5, 640, fols. 229-232d.]

512

November 21.  
New York.

Lieut.-Governor George Clarke to Council of Trade and Plantations, acknowledging letter of 19 August and favour shown to his son. I was sensible when I wrote to you about the Triennial bill that there was no great possibility of its passing at home, and what I wrote was purely on the pressing instances of the assembly. Although my interview with the Six Nations had not the effect I hoped for in their giving us some land to build a fort on at Tierondequat, yet in other things I succeeded pretty well; for I got them not to permit the French to erect a trading house there nor suffer them to take any other footing among them and to give what encouragement they can to the remote nations of Indians to bring their beaver to Oswego. Minutes of council and votes of assembly are enclosed. I was obliged to dissolve the assembly for their insolent attempts. I intend to call another in the spring who I hope will come together with better dispositions and a truer sense of their country's wants and interest. But however they are disposed I will keep the Excise Act

in my power, for if they are not easily to be managed by that advantage which I have over them, without it they would be ungovernable. Refers to Tonnage Act in same terms as No. 483. *Signed.* 2½ small *pp.* *Endorsed,* Recd. 8 January, Read 10 January 1738/9. [C.O. 5, 1059, *fos.* 78-80d.]

1513  
November 21. Governor Edward Trelawny to Council of Trade and Plantations, Jamaica. acknowledging letter of 20 July. I am much obliged to you for your kind assurances in the latter part of it that you will always have a proper regard for those whose names I shall transmit to you in order to be of the council. I shall endeavour to deserve your esteem by promoting H.M.'s service here to the utmost of my power and by paying all possible deference to your commands. I am very sorry you had any reasons not to assist me in the recommendation of Messrs. Whitehorne and Garthwaite to be councillors in as much as I had given them hopes and had flattered myself that you would have concurred in it, without which assurance gentlemen are shy in consenting to my single recommendation. You may remember that when I attended at your board I set forth the inconveniences that might arise in the execution of my duty if my recommendation, especially the first, should fail; and I then understood that you gave me hopes it should not. Few gentlemen proper both upon account of their character and fortune are willing to accept of that post; several have refused me. If you would condescend so far as to let me know when you have an inclination to favour any persons, I shall be so far from recommending any others in their stead that I will upon the first signification of your pleasure transmit their names to the principal Secretary of State unless there should be such cogent reasons to the contrary (which I will communicate to you) as would induce you, if you were apprised of them, to withdraw your favour. It is impossible you should so well know the characters and dispositions of people here by the accounts which upon these occasions you must often receive from those who perhaps chiefly consider private friendship or recommendation as I have opportunity to do by seeing them in business and conversation. In the choice of councillors it is necessary for me to have public considerations in view, as it is with them principally I must concert most things relating to the due execution of my office. I hope you will think it reasonable in me to urge this point, because a successful obedience to H.M.'s commands as well as my own ease and quiet in the administration of this government greatly depends upon it. I have not yet had time enough to be sufficiently satisfied of the characters of twelve persons fit to be nominated to supply any vacancies in the council which may hereafter happen. The five following (but subsequently to Sir Simon Clarke, Bart., Samuel Whitehorne and Edward Garthwaite) I recommend as such to you, vizt. Richard Beckford, Hampson Nedham, Thomas Rodon, Thomas Fearon, Dr. Matthew Gregory. *Signed.* 3 *pp.* *Endorsed,* Recd., Read 13 February 1738/9. [C.O. 137, 23, *fos.* 2-3d.]

1514  
November 21. Council of Trade and Plantations to Committee of Privy Council, Whitehall. pursuant to order of 26 October last referring back representation proposing repeal of the Act for trial of John Coteen and Thomas Winthorp. The information which we had received concerning the proceedings upon that Act arose from a discourse with the agent of Antigua when the Act was under our consideration; for we neither then had nor have since received any notice from Governor Mathew of the said proceedings. We have again discoursed with Mr. Yeamans, agent for Antigua, who has acquainted us that although he had no notice from his constituents of the said proceedings yet he is well informed by conversation with several gentlemen lately come from that island that Winthorp and Coteen having been brought to trial,



the first was acquitted and the other convicted on such evidence only as had been qualified by the Act and would not otherwise have been admitted as legal. *Entry. Signatories*, M. Bladen, A. Croft, R. Plumer. 2 pp. [C.O. 153, 16, fo. 77, 77d.]

515

November 22.  
Frederica.

James Oglethorpe to Harman Verelst. I cannot yet get Mr. Causton's balance of account nor can I be sure of the debts due in Georgia: every day fresh demands come in. By my best guess there is above 8,000*l.* due in Georgia besides the certified accounts. The expense here of the year for the improvements of the colony, the civil government and presents to the Indians cannot be brought under 5,000*l.* for the year. The Trustees' stores will be no assistance at all towards it since they have been ordered to be issued in payment of debts at Savannah. I have desired Mr. Jones to draw out a particular of all the expenses that are absolutely necessary. I hope therefore that the Trustees will apply to Parliament for a sum sufficient to pay the certified accounts, the debts incurred here, and to provide for the charges of the year. They will be the best judges how much that sum must be. I reckon the military expense of the year, between the ceasing of the military establishment and the arrival of the regiment, might amount to 12,000*l.* I reckon therefore the debts certified and uncertified that are unpaid must amount to near that sum and the expense of the year from my arrival this November to 1st of next November will be 5,000*l.* If the Trustees think that the sum of 17,000*l.* is more than they can obtain from Parliament they will do what they think best. But if the Parliament does not pay the debts it will not only be impossible to support the colony at all but the misery of the poor people who came upon their own expenses and trusted their little fortunes upon the public faith will be inexpressible. The clamour also of the merchants who furnished provisions etc. in the time of the Spanish alarm upon seeing the necessity of supporting the colony will be very great. I should therefore move the Trustees to insist upon a sum sufficient to pay the debts and support the colony and I am so persuaded that the Parliament will grant such a sum that I venture upon paying all the necessary expenses here out of my own pocket without drawing on the Trustees or charging them with any debt till I hear of the determination of Parliament, which I fear will be near six months, and in which time I fear shall have expended (though I shall use the utmost economy) near 2,500*l.*

I have paid 100*l.* pursuant to the Trustees' order to Lyon to enable him to carry on the vineyards. I sent you by my last letter his receipt and I have secured the other 100*l.* to him. I have paid at Savannah about 400*l.*, part in purchasing provisions for the supplying of the most necessitous people, part for making up presents to the Indians, four kings of whom with great numbers of warriors and attendants, 80 in all, came down there to meet me and to assure me of their fidelity to H.M. and that they had rejected the Spanish offers. I have ordered the account of the issues of the Indian presents to be made out and sent to you. I have sent also an acknowledgement signed by the officers who arrived with the first part of the troops of their having boats furnished to them and boarded huts for them at the Trustees' expense, which is demandable from Parliament. I have not been able to get in yet the particular account but the whole must amount to above 1,000*l.* for the regiment and all the persons belonging to them amounted to above 1,000 and the huts and boat-hire for them and such a quantity of stores as came over cannot be reckoned at less than 20*s.* charge per head, one with another. I have delivered the yawl to the pilot to be pilot-boat according to the Trustees' order. I have ordered copies of the waste book kept at the store in Frederica to be made out and sent over to you every month from the time of my coming over. There is not hands to post up after the Italian manner of book-keeping but I suppose if you have a waste book sent over you may do that in London. I hope if the Parliament makes a grant that the Trustees will

immediately send sola bills for what they intend should be the expense of the year. *Signed.* P.S. Enclosed I send you an account of the mutiny at St. Andrew's and a letter to Mr. Holland which if he is not in town you may open and read and communicate to the Trustees. 3½ pp. *Endorsed,* Recd. 15 February 1738/9. [C.O. 5, 640, fos. 233-234d.]

516

November 22.  
Savannah.

William Stephens to Harman Verelst. The packet I received yesterday which was sent by Sgt. McKenzie; wherein I found your letter of 25 August with a copy of the Trustees' letter of 11 August and the copy likewise of the bill of loading of sundry goods consigned to Messrs. Crockatt & Seaman at Charleston which came by Capt. Nicholson etc. What other letters and dispatches were contained in that packet due care will be taken of. But unhappily there I found also the fatal news confirmed of my good friend Col. Horsey's death, to which what can I say? *Leves loquntur curae, ingentes stupent*, so said a heathen philosopher from the light of nature. But a greater than he who was divinely inspired had said on the like occasion, I became dumb and open not my mouth for 'tis thy doing. We are forbid to repine at the dispensations of Providence but surely we may grieve lawfully when nature prompts reasonably: why else was that passion implanted in us? Indeed I cannot but lament his death, the man whom I loved and whose neighbourhood in this part of the world I pleased myself often in imagining might conduce to our future comfort. Such is my loss but when I read his son's letter which I am favoured with in the same packet my heart is ready to bleed at the thoughts of how much greater a loss his mournful family sustains which he left behind. Be so good when you see them to present my respects in the most tender manner, letting them know that as I truly condole with them so I shall always be ready to testify the same goodwill to the family as when my worthy friend lived by all the little offices I am capable of. Gen. Oglethorpe is at present in the south; as soon as he returns hither, which we expect will be in a few days, I shall ask his leave and advice about going for Charleston in order to promote what Mr. Horsey has requested of me, wherein I wish greatly that success may attend my endeavours as effectually as they will be undertaken heartily. Then I shall write to him; till then words alone bring little relief.

I had it in my thoughts to have troubled you now with a story concerning my own affairs, but this melancholy occasion made me lay aside to another time when I shall not hesitate to unbosom myself to you in a few particulars, whom you have taught me to esteem my true friend and so I sincerely do. Please present my duty to Lord Egmont: his kind remembrance and notice of an old, depressed man, gives me fresh vigour when I read it. I wish I were capable of serving him in anything. The potter has the model from his lordship of the flower pot and the coffee pot from his countess both before him, which he has been chewing upon some days, but has not yet fully told me what can be done in it. I hope in my next to acquaint you how far he is capable of performing. *Signed.* P.S. The little boy that you sent for a servitude here was delivered me by the Sgt. of whom more hereafter. 1 p. *Endorsed,* Recd. 29 January 1738/9. [C.O. 5, 640, fos. 235-236d.]

517

November 25.  
Ebenezer.

Salzburghers in Georgia to Rev. Senior Urlsperger. None of us is any poorer, all have received enough since last harvest for necessities. We wish our fellow-countrymen were here; they would profit by our experience. The land is cultivated. Arrangements are now made for cattle-breeding: we have 200 head of cattle besides pigs and poultry. We enjoy complete Christian freedom in religion. Gen. Oglethorpe has lately granted that no one shall settle here without our consent. It would be pleasant if more of our people could come over. Persons who



would be specially welcome are named; they are from Lindau, Memmingen, Nordlingen, Augsburg, Leutkirch, Ulm, Liebrach, Kaufbeuern, Kemten, Regensburg. Unmarried women are needed. *German. Copy. Signatories*, Simon Steiner and 39 others with German towns of origin given. 4 pp. [C.O. 5, 640, fos. 237-238d.]

518

November 25.  
Jamaica.

Governor Edward Trelawny to Duke of Newcastle. Mr. Greenhill who was the commanding and only commissioned officer since Lieut. Campbell's suspension belonging to the late Capt. Harris's company being dead, I shall immediately give orders to Mr. Hill, the oldest lieutenant in this island, to take command of that company and shall give a warrant to James Long to act as lieutenant in the room of Mr. Hill. He is the gentleman I recommended to you for a commission some time ago together with William Newton and George Bird; and I renew my request for them that they may receive commissions according to the order I then recommended them in. I beg to add to my former recommendation Robert Hodgson and James Hamilton to whom I have given warrants. *Signed*. 1¼ pp. *Endorsed*, Recd. February. [C.O. 137, 56, fos. 156-157d.]

519

November 25.  
Bermuda.

Governor Alured Popple to Council of Trade and Plantations. A sloop put in here from North Carolina to refit, bound for London, gives me an opportunity of writing to you which I did not expect before the spring. I have not time at present to get transcripts made of my last letter of 2nd of last month<sup>1</sup> nor of Acts and papers transmitted 21 August.

I have an instruction that gives much uneasiness here, notwithstanding the governors here I believe have always had it. It is the 73rd. By that instruction I am directed to take care that all ships and vessels arriving within my government shall with the first opportunity of wind and weather come and lie at an anchor either in the Castle Harbour or in St. George's Harbour, and I am not to permit the said ships or vessels to land or unload any goods or merchandise in any other port or harbour. That you may be the better judge of this instruction, I will endeavour to state to you what may be said both for and against it. Most of the gentlemen of this country live on the great island notwithstanding the seat of government is held at St. George's and that all public business is transacted here. These gentlemen are all concerned in the sloops trading to and from Bermuda and have their warehouses on the great island, which is here called the Country. If therefore these sloops load and unload in St. George's Harbour or the Castle Harbour, the gentlemen concerned must be at a great charge to remove their goods to their own warehouses in the Country and to bring to town what goods they intend for exportation. If their sloops should be permitted to load in the Country (unless they are permitted to clear there) an easterly wind will as soon carry them to the continent of America as bring them to this harbour to clear. During the hurricane months (August and September) all vessels bound hither endeavour to make the first land they can; and if from the continent a westerly wind will first carry them to the Country, the same wind will afterwards bring them to this harbour. But if it changes easterly they are confined to the Country and according to my 73rd instruction can neither enter nor unload until a change of wind can bring them to this harbour.

On the other hand the Custom-house is here in town where the collector, naval officer and searcher constantly reside. If therefore vessels are permitted to enter in the Country a door is opened to illegal trade unless Custom-house officers were likewise settled there with salaries sufficient to keep them above bribery. The Bermuda sloops

<sup>1</sup>Not found. Should perhaps be 27 September. See No. 455.

frequently trade with the Dutch at St. Eustatius; and as the Dutch trade with the French, commodities may clandestinely be imported into the west end of these islands unless as I said before Custom-house officers were settled there; and that this is sometimes the case I have reason to believe. But the many opportunities sloops coming in at the west end of these islands have of running such goods on shore before an officer could be sent from hence makes it impossible for me to say more than that I am certain goods (especially liquors) are run; and I wish I could say it was in my power to prevent it. Vessels coming in at the west end never want a plausible reason such as distress in some shape or their making land so late in the evening that they were obliged to come in or stand out to sea again and such vessels (if their intention was to run anything) have landed what they proposed to run before any officer from hence can prevent it.

I hope you will consider what I have written and either propose some alteration in my instruction or send me peremptory orders to put it punctually in execution. For when my commission was first published the people here seemed extremely pleased that powers were given me thereby to make new ports and harbours. But when I showed them my 73rd instruction they then said they hoped I would do as my predecessors had done and allow them the liberty of entering and clearing in the Country which necessarily must imply loading and unloading out of the Castle or St. George's Harbour, which is quite contrary to my instruction. Since I have been here I have obliged all vessels to come into this harbour and enter excepting a very few who were really disabled. But they have come down when refitted. My abovementioned 73rd instruction is so very particular with regard to loading and unloading in this harbour or the Castle Harbour that the punctual execution of it in order to prevent the ill-practices of some must impose very great inconveniences and charges upon others who I dare to believe would be no way concerned in illicit trade. I must therefore once more beg of you to consider my instruction and what I have written and as soon as possible favour me with your resolutions for some people here think my power of making new ports much stronger than the restriction in my instructions, the first being under the broad seal. But neither their opinion nor any example of my predecessors shall prevail on me to act contrary to my instruction. *Signed. 4 pp. Endorsed, Recd., Read 19 January 1738/9. [C.O. 37, 13, fols. 74-76d.]*

## 520

November 27.  
Antigua.

Governor William Mathew to Council of Trade and Plantations, enclosing duplicate of minutes of council of Nevis, 12 November 1736 to 12 May 1738, register of burials, marriages and christenings in parishes of Trinity Palmeto Point and St. Thomas Middle Island in St. Christopher's for year ending 30 October 1738, and duplicate of minutes of council of Montserrat for quarter ending 30 September 1738 and of minutes of assembly of that island for the same time. [*Note in another hand: all duplicates of what have been already received.*] I am honoured with your commands of 10 August last and in obedience thereto I enclose a list of members of the council of each island and shall regularly send such a one every six months instead of mentioning all deaths and alterations in my letters, as I have always hitherto exactly done; but you now signify your choosing to have such half-yearly lists. *Signed. 2 small pp. Endorsed, Recd. 16 March, Read 23 March 1738/9. [For enclosures of registers and lists of councils, see No. 534.] [C.O. 152, 23, fols. 199-200d.]*

## 521

November 28.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle transmitting draft of commission for James Glen to be governor of South Carolina and lieutenant-general of the forces in South Carolina and Georgia, together with representation thereon. *Entry. Signatories, M. Bladen, James Brudenell, Arthur*



Croft, R. Plumer. 1 p. *Enclosed*,

521. i. Same to the King, 28 November 1738. The draft of the commission for James Glen is the same as that for Samuel Horsey, deceased. *Entry. Signatories*, as preceding. 1 p.

521. ii. Draft of commission for James Glen to be governor of South Carolina. *Entry. 20 pp.* [C.O. 5, 401, pp. 306-327; drafts of covering letter and letter to the king in C.O. 5, 381, fos. 303-304d.]

## 522

November 30.  
St. James's.

Order of the King in Council. Whereas the petition of Francis Wilks, agent for Massachusetts, against a report of the Council of Trade and Plantations concerning the boundary between Massachusetts and Rhode Island was found by the Committee for Plantation Affairs to be frivolous and vexatious, it is ordered that the Committee do not proceed on any petition against any determinations of the Council of Trade and Plantations on matters referred to them by H.M. in Council or by the Committee, on which the Council of Trade and Plantations have heard the persons concerned, unless the petitioner gives security to pay such costs as may be awarded by H.M. in Council. *Copy*, certified by James Vernon. 2½ pp. *Endorsed*, Recd. 8 May, Read 8 June 1739. [C.O. 323, 10, fos. 147-148d.]

## 523

November 30.  
St. James's.

Same, approving report from Committee for Plantation Affairs and directing that commissioners be appointed from neighbouring provinces to determine the boundary between Massachusetts and Rhode Island and that the petition of Francis Wilks, agent of Massachusetts, be rejected. *Copy*, certified by James Vernon. 2½ pp. *Endorsed*, Recd. 8 May, Read 8 June 1739. [C.O. 5, 881, fos. 87-88d.]

## 524

November 30.  
St. James's.

Same, repealing an Act of Antigua passed on 13 April 1737 entitled an Act for the trial of John Coteen, a free negro man, and Thomas Winthorp, a free mulatto man for an intended insurrection to destroy the white inhabitants of this island and declaring the same to be high treason. All proceedings in consequence of the said Act are to be transmitted to H.M.; and if Coteen and Winthorp have been tried and convicted for the said insurrection and any persons produced as evidence in the said trial who would not have been a legal witness if the said Act had not been passed, Coteen and Winthorp are to be admitted to bail till H.M.'s pleasure be signified. *Copy*, certified by James Vernon. 2 pp. *Endorsed*, Recd. 8 May, Read 8 June 1738. [C.O. 152, 23, fos. 216, 216d, 219, 219d.]

## 525

November 30.  
St. James's.

Same, disallowing an Act passed in New York in December 1737 for the frequent election of representatives to serve in general assembly and for the frequent calling and meeting of the general assembly so elected. *Copy*, certified by James Vernon. 1½ pp. *Endorsed*, Recd. 8 May, Read 8 June 1739. [C.O. 5, 1059, fos. 83, 83d, 86, 86d.]

## 526

November 30.  
St. James's.

Same, repealing an Act made in South Carolina in August 1731 for establishing the method of drawing juries by ballot. *Copy*, certified by James Vernon. 1½ pp. *Endorsed*, Recd. 8 May, Read 8 June 1739. [C.O. 5, 367, fos. 28-29d.]

527

December 1.  
Whitehall.

Order of Committee of Council for Plantation Affairs referring eleven Acts passed in Massachusetts in January 1737/8 to Council of Trade and Plantations for examination and report. *Seal. Signed*, Temple Stanyan.  $\frac{3}{4}$  p. *Endorsed*, Recd., Read 14 December 1738. Sent to Mr. Fane, 15 December 1738. Recd. back, 11 January 1738/9. No objection. *Enclosed*,

527. i. Schedule of titles of said Acts, certified by J. Belcher and J. Willard.  $1\frac{1}{2}$  pp.

527. ii. Copies of said Acts. Titles are: for supplying treasury with 6,000*l.* in bills of credit; for preventing destruction of wild fowl; for relief of poor prisoners for debt; in addition to Acts for measures of timber; for regulating assize of staves; to empower justices to cause warrants to be issued for appointment of jurors; for dividing town of Watertown and erecting new town of Waltham; to prevent spreading of infectious sickness; for encouraging making of linseed oil; in addition to Act for assessment of rates; in addition to Act for erecting new town of Hanover. *Printed*. 18 pp. *Endorsed*, Recd. from Mr. Wilks, 26 October 1738. [C.O. 5, 881, fos. 30-41*d.*].

528

December 1.  
Whitehall.

Same, directing Council of Trade and Plantations to consider and lay before the Committee the names of persons resident in provinces adjacent to Rhode Island proper to be commissioners for determining the boundary between that colony and Massachusetts. *Seal. Signed*, Temple Stanyan. 1 p. *Endorsed*, Recd. 11 December, Read 13 December 1738. *Enclosed*,

528. i. Petition of Governor and Company of Rhode Island and Providence to Council of Trade and Plantations that there shall be recommended to the Committee of Council as commissioners for the boundary question the names of the four eldest members of H.M.'s councils in the three neighbouring provinces of New York, New Jersey and Nova Scotia. 9 December 1738. *Signed*, Richard Partridge, agent for the company. 1 p. *Endorsed*, as covering order. [C.O. 5, 881, fos. 26-29*d.*]

529

December 4.  
Jamaica.

Governor Edward Trelawny to Duke of Newcastle, requesting the command of one of the independent companies. It would be (might I be allowed to suggest a thing which I do not say with a view to my own advantage, though it would prove so) highly conducing to H.M.'s service here and the safety of this island if the companies were regimented and the governor appointed colonel. Sorry I am that my own interest is so much concerned in this matter lest a suspicion of my being influenced by that alone may discredit what I advance. But the necessity of affairs pleads my excuse for proposing it myself as I can think of no other expedient to redress them. If the governor and colonel should be different persons they can hardly avoid perpetual jangling, as it happened in Governor Hunter's time when Newton's and Hay's regiments were here. The colonel will be continually making objections to his men being divided in a manner which is necessary for the service here and to their marching in such places as the unalterable nature of the country does absolutely require, without such helps as are impossible to be had. By these means the service will be unavoidably obstructed as was pretty much the case when the two regiments were here, as I am unquestionably informed. This was one great reason I believe for recalling those regiments and sending afterwards independent companies; but as they do not answer the service in any respect so well as the same number of men would do were they regimented, in which I believe all military men will agree, it seems most evident that the best way to answer all purposes and avoid as much as possible all inconveniences is to make the governor colonel.

The service here is not like that in Flanders or any part of Europe. Here the great



difficulty is not to beat, but to see, the enemy. The men are forced to march up the currents of rivers or over steep mountains and precipices without a track, through such thick woods that they are obliged to cut their way almost every step (I have been an eye-witness of these difficulties in my passage through places frequented by rebels), the underwoods as being always full of saps and new shoots, exceedingly tough and bushy, twisted and entangled in a strange manner: add to this that they frequently meet with torrents caused by heavy piercing rains that often fall in the woods and against which tents are no shelter, yet the want of them has been alleged against undertaking such expeditions. In short nothing can be done in strict conformity to usual military preparations and according to a regular manner, bush-fighting as they call it being a thing peculiar by itself. The greatest party that goes out against the rebels should not consist of above one hundred soldiers at most considering the beforementioned difficulties which they must encounter in their march and that provisions must be carried upon negroes' backs. A colonel will not think any such party a proper command for him to go upon, so his personal service will be lost, and as recruiting from home is attended with a great expense I doubt he will not be so ready to have his men go out as a governor will be, as his honour is not so much concerned as that of the other is in extirpating the rebels. These rebellious negroes are a great and I am afraid a growing evil; their wants render them audacious and enterprising, and they are daily reinforced by the desertion of slaves. They are spread in parties throughout the island and almost daily fall on one settlement or another, many of which are forced to keep continual guards, many who cannot bear that expense are forced to be thrown up. Upon applications for assistance I have been obliged to send to single plantations from four to ten or twelve soldiers and have disposed them in general in small detachments as well as I can contrive to cover the most exposed settlements, in order to induce those who are ready to quit them to stay and others to return, which has had some good effect but not answerable to the urgency. I should not despair of eradicating this evil if the soldiers did their duty like soldiers and the gentlemen of the country would exert themselves more. If I do not extremely deceive myself what I desire will conduce to both these ends: I think if I was colonel I could make the soldiers do their duty and the gentlemen of the country assured of this assistance would exert themselves more than out of despair they now do. There is no depending entirely on the militia. That body is not as it was formerly, as I am told, when there were greater numbers in the island, all of which almost had some property and few great estates; now quite the contrary. There are several overgrown estates but the number of proprietors of land are extremely few to what they were formerly; a great many of the rich have got an exemption from military service; the inferior officers and private men consist chiefly of servants who behave themselves most wretchedly. And yet it is hardly equitable to punish those creatures according to the rules of war as they never dreamt of such service when they indented themselves at home. Their master's example and supervision alone can animate them into any spirit or infuse into them any obedience; and since the proprietors are supine in their own interest, I know nothing can rouse them into action except a confidence in my word and ability to assist them with the king's troops effectually. But without an absolute and more particularly relative command over the officers and soldiers, I despair of rendering them as obedient and serviceable as the good of the country requires them to be. *Signed. 4 pp.* [C.O. 137, 56, fos. 158-159d.; duplicate at fos. 179-180d.]

530

December 5.  
Whitehall.

Thomas Hill to Francis Fane, enclosing for his opinion in point of law 25 Acts passed at New York in December 1737, vizt. Acts for emitting bills of credit; to explain the duty of loan officers; for granting

several duties; to defray charges of garrison at Oswego; to prevent importation of copper money; for lowering the interest of money to 7 per cent.; for establishing courts to determine matters of 40s. and under; to restrain innkeepers from selling liquor to servants and apprentices and from giving large credit to others; to continue an Act for the farm of the excise of liquor; to continue an Act for settling the militia; to revive an Act for amending the practice of the law and regulating bail; to revive an Act to provide pilots between Sandy Hook and the port of New York; to revive an Act to preserve oysters; to divide Dutchess County into precincts; to enable justices of peace in Orange County to build a courthouse and gaol at Gosham; for defraying charges of the manor of Cortland in county of Westchester; for clearing high roads in Dutchess County; to enable justices of peace in Ulster County to build a courthouse and gaol; for the encouragement of a public school in the city of New York; to restrain hawkers and pedlars; to prevent damage by swine in Orange and Ulster Counties; to enable the city of New York to raise 250l.; to encourage the destruction of wolves in Westchester County; to preserve oysters near Richmond County; for extinguishing fires in city of New York. *Entry.* 5½ pp. [C.O. 5, 1126, fos. 37d-40.]

531

December 5.  
Whitehall.

Same to same, enclosing an Act passed at New York 10 December 1737 for confirming an agreement and exchange of lands in the township of Oyster Bay, for his opinion thereon in point of law. *Entry.* ½ p.

[C.O. 5, 1126, fo. 40.]

532

December 5.  
Jamaica.

Governor Edward Trelawny to Duke of Newcastle. Having received frequent complaints from the commanding officers of the independent companies of the bad condition the soldiers' arms were in, and having

likewise been applied to upon that account to represent to you how much they are in want of new ones, I wrote circular letters to the said commanding officers to be informed how many muskets each company had that were in any condition to do service. By the answers I have received and the arms I have inspected there are not muskets fit for service sufficient for one-tenth part of the troops. Another thing the officers desired me to lay before you is that they are of opinion light carbines, such as are given to dragoons, and cutlasses would be greatly preferable to heavy firelocks which are less manageable in the woods where service is usually performed and a great incumbrance to the soldier by their weight in this hot climate. It will be needless for me to recommend to you to entreat H.M. to grant a fresh supply of such arms as I have mentioned: the very bad state of those the soldiers now have being a convincing reason of the necessity there is of doing it as soon as possible. *Signed.* 2 pp. [C.O. 137, 56, fos. 162-163d.]

533

December 5.  
Jamaica.

Same to same. I have not yet had time enough to be informed sufficiently of the characters of twelve persons fit to be nominated to supply any vacancies in the council which may hereafter happen. The

five following (but subsequently to Sir Simon Clarke, Bart., Samuel Whitehorne and Edward Garthwaite before recommended by me to you to fill up the present vacancies) I recommend as such, vizt. Richard Beckford, Hampson Nedham, Thomas Rodon, Thomas Fearon and Dr. Matthew Gregory. *Signed.* 1 p. [C.O. 137, 56, fos. 160-161d.]

534

December 5.  
Antigua.

Governor William Mathew to Council of Trade and Plantations enclosing duplicates of the following papers. [Note in another hand: originals not recd. 8 February 1738/9.] *Signed.* 1 small p. *Endorsed,*

Recd., Read 8 February 1738/9. *Enclosed,*



534. i. Abstract of register book of parish of St. Thomas Middle Island, St. Christopher's, 30 October 1738 [*sic*: should be 1737] – 30 October 1738. Marriages: 48 [*sic*: should perhaps be 4 amended to 8]; baptized: 28; buried: 14. *Signed*, John Merac, rector. 1 small *p*.

534. ii. Same for parish of Trinity Palmeto Point, St. Christopher's, 30 October 1737–30 October 1738. Marriages: 4; baptized: 15; buried: 14. *Signed*, as preceding. 1 small *p*.

534. iii. State of Councils in Leeward Islands, 27 November 1738.

St. Christopher's: Gilbert Fleming, lieutenant-general, absent by H.M.'s leave; Joseph Estridge and Sir Charles Payne, Bart., present; John Garnet, in Carolina without leave about four years; William McDowall and Peter Soulegrave, absent many years I suppose on H.M.'s leave; Charles Pym, present; Edward Mann, absent several years; John Douglas, Abraham Payne, Joseph Phipps, John Williams, present; Charles Dunbar, resides almost always at Antigua. Names of six persons proper to supply vacancies: Drewry Ottley, senior, Daniel Mathew, Richard Wilson, William Woodley, junior, Ralph Payne, William Ottley.

Nevis: Gilbert Fleming, lieutenant-general, absent; William Hanmer, lieutenant-governor, absent; Michael Smith, James Symonds, James Brown, present; William Pym Burt, resides mostly at St. Christopher's; Carew Broadbelt, present; Thomas Butler, many years in England; Daniel Smith, absent without my leave; Charles Bridgewater, junior, present; Charles Dunbar, constantly at Antigua; Thomas Pym, formerly appointed by Mr. Mathew, now in England without his leave; William Clarke, formerly appointed by Mr. Mathew, now in England with his leave; John Williams, junior, now ordered by Mr. Mathew to be sworn, there being but five councillors present. Names of six persons proper to supply vacancies: Thomas Herbert, Edward Abbott, John Woodley, Roger Pemberton, Josiah Webb, James Earl.

Montserrat: Gilbert Fleming, lieutenant-general, absent; Thomas Digges, lieutenant-governor, absent; George Wyke, Richard Cooke, present; Anthony Hodges, many years in England; Nathaniel Webb, in England on Mr. Mathew's leave but expected back; John Roberts, never attended; Charles Dunbar, constantly at Antigua; Simeon Bouveron, George Wyke, junior, John Osborn, John Webb, all present and appointed by Mr. Mathew. Names of six persons proper to supply vacancies: Peter Lee, Nicholas Daniel, [*blank*] Earl, Charles Daly, George French, Bedingfield Bramley.

Antigua: Gilbert Fleming, lieutenant-general, absent; Edward Byam, lieutenant-governor, present; Sir William Codrington, Bart., many years in England; Valentine Morris, Nathaniel Crump, John Frye, present; George Lucas and John Vernon, both in England on Mr. Mathew's leave; Josiah Martin, in New York on Mr. Mathew's leave; Charles Dunbar, Samuel Byam, present; John Gunthorpe, appointed by Mr. Mathew to make up seven of the council. Names of six persons proper to supply vacancies: Thomas Kerbye, Jacob Morgan, Richard Oliver, Henry Lyons, Thomas Watkins, John Lightfoot. Dead since last list sent 5 February 1736/7: Archibald Cockran. *Signed*, William Mathew. 4 *pp*. [C.O. 152, 23, *fos*. 189–196*d*.]

### 535

December 6.  
Whitehall.

Council of Trade and Plantations to Lieut.-Governor George Clarke. We have lately received a letter from the Lieut.-Governor of Virginia concerning attack by the Five Nations on the Catabaw Indians and the murder of eleven English inhabitants. [*See* No. 451] It seems very extraordinary to us that these Five Nations who are protected by the British government should employ their force to destroy other nations under the same protection, which is effectually doing the work of our common enemy. We therefore recommend it to you in the strongest

terms to employ all your credit and authority first to obtain satisfaction for the murders committed upon H.M.'s subjects, and in the next place to facilitate a lasting friendship not only between the Five Nations and the Cherokee and Catabaw Indians but also to recommend to the said Five Nations to live in good intelligence and correspondence with all the rest of the Indian clans in America dependent upon the British government. And as we apprehend nothing can more effectually contribute to this end than the restraining the several Indians within their proper bounds agreeable to former treaties, we send you enclosed a copy of that made between Col. Spotswood and the Five Nations in 1722 to which we apprehend they have paid but very little regard on this occasion.

We have received your's of 16 September and communicated an extract of it to the Duke of Newcastle, together with a copy of the letter to you from the Commissioners of Indian Affairs. In your next give us a more particular description of the situation of the Crown Point and of Tierondequat in regard to New York, there being no notice taken upon our maps of either of these places. We hope the assembly will concur with you in settling a proper revenue for the support of the government agreeable to your instructions. *Entry. Signatories, M. Bladen, Arthur Croft, R. Plumer. 3 pp. [C.O. 5, 1126, fos. 40d-41d.]*

536

December 21.  
Whitehall.

Same to Lieut.-Governor William Gooch. We have received your letter of 20 September last, and as the subject matter thereof seems to be of very great importance we were willing to lay hold of the first opportunity of sending you our sentiments thereupon. Although the Cherokee and Catabaw Indians lying on the back of Georgia and South Carolina are not inhabitants of or immediate dependants on Virginia, yet we apprehend you have entered upon a very laudable undertaking in endeavouring to negotiate a peace between them and the Five Indian nations under the government of New York. It may perhaps be troublesome and expensive to enter into a treaty with those nations at Albany. But as to the place of treaty though it may be inconvenient it is what has been submitted to on former occasions by other governments and particularly by that now under your care in 1722, as you will see by a former transaction between Col. Spotswood and them, copy enclosed. In that transaction you will find several material articles agreeable to your own propositions of restraining the Indians within certain bounds in consequence of Acts of Assembly passed in your own colony which must probably have escaped your observation when you had this matter in your thoughts; and though the transaction or treaty above-mentioned has no relation to the Cherokees and Catabaw Indians, yet it may serve as a precedent to go by in their case. And as it seems to us that the Five Nations have been guilty of a breach of their treaty with Virginia by going out of the bounds thereby prescribed them and committing acts of hostility in the colony, it will import Virginia whenever new conferences shall be had upon the subject matter of the present dispute to take care of their own interest also with respect to the forementioned treaty.

We are very sensible that the length of the journey to be made by the deputies of the two Indian nations for whom you interest yourself and the manner of treating at Albany must be expensive. But we do not conceive why it should fall upon Virginia only; on the contrary it would seem reasonable that the provinces of South Carolina and Georgia should bear their proportion. However, we would recommend to you if possible not to let so good a work lie unattempted till the formal resolution of those provinces can be had upon the subject. It must certainly be allowed to be a very great grievance that the Indian nations dependent on the crown of Great Britain should do the work of our common enemy by destroying each other. This is a folly not pardonable even to savages, much less so to H.M.'s own subjects if any of them are capable of fomenting so pernicious



cious a proceeding. Little differences and contentions about trade and profit will always subsist between neighbouring colonies. But we hope they will never push them so far as to destroy their common security. And as we are sensible that no one maxim can contribute more to the security of the British interest in America than to persuade the Indians that all the English through that whole continent of America have but one common prince and father, so we hope that all H.M.'s governors will constantly promote that principle amongst them. We are so well persuaded of your prudence even by the present instance that we have no doubt of your being in that way of thinking, and we shall explain ourselves very fully upon this subject to the governor of New York to recommend to him the facilitating this matter as far as may lie in his power. The dispute relating to the boundaries of Lord Fairfax's land is before the Treasury. *Entry. Signatories*, M. Bladen, Arthur Croft, R. Plumer. P.S. We have received your letter of 6 August last with the accounts enclosed. 4 pp. [C.O. 5, 1366, pp. 293-296.]

537

[December 8.]

The case of John Hammerton, secretary and register of South Carolina, summarizing the history of the office of register, citing Acts of 1694 and 1698 bearing upon the same, reciting the patent given to Hammerton and Edward Bertie in February 1731/2, and concluding that this is one of the plainest cases ever drawn into question: Mr. Hammerton is well entitled and has an undoubted right to the office of register as well as secretary. 5 pp. *Endorsed*, Recd. 8 December, Read 14 December 1738. [C.O. 5, 366, fos. 149-151d.]

538

December 8.  
Castle Semple.

William McDowall to Thomas Hill, resigning from his position as councillor in St. Christopher's. *Signed*. 1 small p. *Endorsed*, Recd., Read 11 January 1738/9. [C.O. 152, 23, fos. 174, 174d., 179, 179d.]

539

December 12.  
Savannah.

Rev. William Norris to Harman Verelst. On my enquiry into the state of the church here I have been surprised to find that she had retained but little more than the titles of her most excellent institutions and ordinances pure from many Romish and German corruptions and that she has lost that true, equal and unpassionate frame of spirit which is so agreeable to the genius and temperature of the gospel and to the basis on which all her duties are settled. The presumptive wisdom of man has so improved and added to her sacred mysteries that they seem to be rather of human than divine institution and authority; and numbers have been excluded from the salutary communion of them whom neither the economy of the gospel nor the constitution of our church have ever rejected as unfit members. In the common form of prayer appointed for the day, the exhortation, absolution, psalms and first lesson were totally omitted and the collects and prayers for the royal family etc. were so abridged and contracted that few or no petitions were contained or offered up in them. The hours also of public worship were so unseasonable and disagreeable to most constitutions as prevented the frequency of some and drew many into a gradual neglect and indisposition and at length to an utter dislike to them. A judaising spiritual pride which has hitherto prevailed in the pastors of the church gave great offence also to the consciences and affections of most people, for they disdaining all measures and ordinances gave the sanction of divine influences to the delusions of their heated imaginations and established them for principles and rules of worship. Hence a separate nightly assembly was formed at the minister's house which made up a communion of saints and were distinguished by the name of the faithful, but were indeed

such members as neither contributed to the credit of religion nor society. These observed particular forms of worship and duties such as public confession, penance, absolution etc., and many believed that an avenue was herein opening for the introduction of popery.

The church in general from an abhorrence to such enthusiasm, will-worship and presumption, and from an undue sense also of the necessary and authorised public ceremonies and duties fell into a destitution and contempt of all worship. I need not observe how equally fatal both these tempers are to religion; the one while it was seemingly concerned for the security and preservation of it, and the other for the improvement and recovery of it from corruption, have been insensibly surprised into those very errors which had otherwise been as assuredly and instantly renounced as proposed. Thus the one quite loses all devotion and the other is quite lost in it. How impiously absurd is that zeal for the worship and honour of God which refuses to show itself in any other medium than that which reflects the highest dishonour both on him and his creatures. Thus is religion split upon the very rock on which it was to be founded.

Hence you may conceive the difficult part I have to act to recover the true spirit of the gospel and to reduce these extremes of passion and prejudice to a just sense and temperature in the worship and duties of religion and to reconcile both in the exercise of it. My efforts herein have been successfully employed and well received by most. The church begins to be more numerous and everything is done with decency and order in it. I owe a great deal of the happy success of my ministry to the truly virtuous and pious Col. Stephens who improves every opportunity of recommending and defending it. His tender concern and passion for the church make him ever watchful and zealous for her interests and jealous of her honours. His example recommends what authority prescribes, and piety influences both.

One day in every fortnight I visit the people of Highgate and Hampstead and read the full service of the church and a sermon to them. At my first going among them they were so utterly unacquainted with our form of worship that they knew not where to join with the minister nor the decency observed in the several parts of it. This I have been the more surprised at because Mr. Doble the schoolmaster there reads prayers to them every night. I have therefore recommended to him strictly to observe the prescribed form and liturgy of the church that they may become uniform members of the same. These people have been upwards of two years without receiving the sacrament, and though they profess the faith and articles of our church have ever been excluded by Mr. Wesley from communicating in it. They have erected a tabernacle here which serves also for the school; the number of children instructed here rarely exceeds twelve and but seldom makes up that. The public school of Savannah consists now of forty boys; those I catechise twice every week in school and every Sunday even in church. I have introduced Lewis's Explanation of the Church Catechism, which has been received with general approbation; and nothing is wanting to recommend and make it as generally useful but the scarcity of them. I must with these beg some supplies of Bibles and Common Prayerbooks and such other books as you will judge proper for the school etc.

I would here subjoin a remonstrance of Mr. Habersham's conduct, who has employed all his authority and credit to the prejudice of my ministry and private character, but that I am truly satisfied of the inefficacy of his efforts and of the blind zeal which pressed him to it. I am now preparing a register book and will give you the model of it in my next. The following is an account of the births, marriages and burials which have happened in my time. Baptisms, 8; marriages, 1; burials, 7 [*Names given*]. Period: 22 October–3 December 1738. *Signed*, 4 pp. *Annotated*, Recd. 16 March 1738/9. [C.O. 5, 640, fos. 239–240d.]



540

December 12.  
Ebenezer.

John Martin Bolzius to Henry Newman. My last letters to you are sent by Charleston in September and October last by which I acquainted you with the receiving of our salaries by Capt. Thomson and gave you a little account of the condition and intention of our orphan house which I desired you to recommend to the Trustees and Society. By order of Gen. Oglethorpe our plantations are now laid out in such a manner as will be very convenient and advantageous to my congregation. By this generosity and goodness of Mr. Oglethorpe our Salzburghers will be enabled to reap many good fruits of their labour in the ground and are now so well satisfied that the whole congregation has desired me to give the Rev. Mr. Senior Urlsperger an account of the many good things and preferences which they enjoy now here. It will redound to our town's and the colony's advantage if our whole town could be settled with Salzburghers as it was the praiseworthy intention of the Society from the beginning. And seeing that our Salzburghers know of a good many honest and industrious countrymen at Augsburg and Lindau and other places in Germany who are resolved to join with their brethren here in their worship and labour upon the first good account of their being settled, they give now with one accord such an account doubting not at all but they will engage themselves very soon for being sent hither to Ebenezer.

But being informed that the Trustees cannot take up Salzburghers upon the former establishment, I beseech the gentlemen of the Society to think on some means of gratifying our Salzburghers' humble petition in paying a new transport's passage and allowing provisions and other necessary things for their support and subsistence in the beginning. Our people's health continues pretty well and they have a mind to do a great deal of work this winter upon their plantations for raising more provisions for their and other comers' subsistence. We shall endeavour ourselves to the utmost of our power to attend on our congregation both in town and upon their farms, ministering to them the gospel and holy sacraments which is the first and chiefest thing they constantly aim at.

My utmost necessity obliges me to build a house, my hut being almost rotten and very inconvenient for preserving my health and doing my business well and successfully. I design to beseech Gen. Oglethorpe to lend me 40*l.* sterling, being in hopes God will incline our benefactors' hearts to contribute some to this very necessary and useful building, by which I shall be enabled to return this money to the general in time. And as the Society are always very strongly inclined to do everything to our and the Salzburghers' welfare I beg their intercession with the Trustees to allow besides the 10*l.* which they have allowed for one house something more. May the Lord Jesus bless you and all the worthy gentlemen of the Society with good health and happiness, which is the sincere wish and prayer of the congregation, of Mr. Gronau, and mine. *Copy.* 3½ small *pp.* *Endorsed, Recd. from Mr. Vernon, 3 May 1739. [C.O. 5, 640, fos. 241-242d.]*

541

December 13.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received receipt from Bank for 8*l.* by Sir John Lade, Bt., 12 October last, being so much advanced by the Trustees in charge of a servant to the widow of Nathaniel Polhill in Georgia. Received by Rev. Dr. Hales, 21*l.*, anonymous benefaction for religious uses of the colony. ¾ *p.* [C.O. 5, 687, *p.* 94.]

542

December 14.  
Whitehall.

Council of Trade and Plantations to the King recommending for royal confirmation three Acts passed at Bermuda in August last. [See No. 473.] *Entry. Signatories, Monson, M. Bladen, R. Plumer, Arthur Croft, 1½ pp. [C.O. 38, 8, pp. 302-3.]*

543

December 15.  
Whitehall.

Thomas Hill to Francis Fane enclosing eleven Acts passed in Massachusetts in January last for his opinion in point of law, vizt. Acts for supplying the treasury with 6,000*l.* in bills of credit; for preventing destruction of wild fowl; for relief of poor prisoners for debt; for admeasurement of timber; for regulating assize of staves; to empower justices for the appointment of petty jurors; for dividing the town of Watertown and erecting a new town of Waltham; to prevent the spreading of infection on the island of Martha's Vineyard; for encouraging the making of linseed oil in the county of Hampshire; additional to an Act for directing how rates and taxes and local rates be assessed and collected; additional to an Act for erecting a new town called Hanover in the county of Plymouth. *Entry.* 1 *p.* [C.O. 5, 917, *fo.* 116*d.*]

544

December 18.  
Boston.

Josiah Willard to Thomas Hill. By the *New Cambridge*, Capt. Morris, I have sent the public papers out of my office for the half year ending August last, vizt. copies of minutes of council and minutes of assembly for the session held 31 May 1738, with the Acts passed; as also treasurer's account made up last year but not signed by the governor till lately. *Signed.*  $\frac{1}{2}$  *p.* *Endorsed,* Recd. 2 February, Read 15 February 1738/9. *Enclosed,*

544. i. Account of William Foye, Treasurer and Receiver-General of Massachusetts. Accountant is charged as follows: (1) outstanding from several towns as per account received from late treasurer Allen, 26 May 1736, 69,306*l.* 4*s.* 8*d.*; (2) four per cent. interest of remainder of 60,000*l.* granted November 1727, 946*l.* 3*s.*; (3) various taxes, 33,228*l.* 12*s.* 6*d.*; (4) excise, 3,230*l.* 11*s.* 3*d.*; (5) other charges, 7,618*l.* 5*s.* 8*d.*; (6) received of treasurer Allen, 30,241*l.* 18*s.* 2*d.*; (7) received of the committee and to be received, bills of new tenour, 9,000*l.* Total: 153,571*l.* 13*s.* 9*d.*

The discharges are miscellaneous, including 4,133*l.* 4*s.* 11*d.* for military expenditure. Remaining outstanding in several towns for taxes etc., 79,424*l.* 9*s.* 11*d.* Remaining in hands of treasurer, 43,932*l.* 13*s.* 5*d.* province bills of credit. *Signed.* Examined by House of Representatives, 15 December 1737, J. Quincy, speaker. Examined in Council, 3 January 1737/8, Simon Frost, deputy secretary. Consented to, J. Belcher. *Copy,* certified by J. Willard, secretary. 19 *pp.* *Endorsed,* as covering letter. [C.O. 5, 881, *fos.* 58-71*d.*]

545

December 19.

Francis Fane to Council of Trade and Plantations. I have considered an Act passed at New York in 1737 confirming an exchange of lands in Oysterbay between Samson Hauxhurst and John Prat, deceased, etc., and am of opinion that you may advise confirmation thereof. *Signed.* 1 *p.* *Endorsed,* Recd. 19 December 1738, Read 7 February 1738/9. [C.O. 5, 1059, *fos.* 81, 81*d.*, 88, 88*d.*]

546

December 20.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received receipt from Bank for 21*l.* paid in at last meeting. Received parcel of vine cuttings mostly of the Burgundy kind, benefaction of Samuel Forster, shipped on the *America*, Capt. Gerald, for Charleston. 1 *p.* [C.O. 5, 687, *p.* 95.]

547

December 20.  
Pall Mall.

John Yeamans to Thomas Hill. An account of each specie of money passing current in the Leeward Islands, requested by Council of Trade and Plantations;



Denomination	Weight dwt. grs.		Real value s. d.		Value not to exceed by proclamation		Current value in the island		Difference between the value by proclamation and current value		
					s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	
Seville piece-of-eight, old											
plate ... ..	17	12	4	6	6	0	6	0	—		
ditto, new plate ... ..	14		3	7½	4	9½	—		—		
Mexico piece-of-eight ... ..	17	12	4	6	6	0	6	0	—		
Pillar ditto ... ..	17	12	4	6¾	6	0	6	0	—		
Peru ditto, old plate ... ..	17	12	4	5	5	10¾	6	0	1½		
Cross dollars ... ..	18		4	4¾	5	10½	—		—		
Ducatoons of Flanders ... ..	20	21	5	6	7	4	—		—		
Louis of France ... ..	17	12	4	6	6	0	7	0	1 0		
Cruzados of Portugal ... ..	11	4	2	10¼	3	9¾	—		—		
3-guilder pieces of Holland ... ..	20	7	5	2¼	6	10¾	—		—		
Old rixdollars of the Empire ... ..	18	10	4	6	6	0	—		—		
Double rials ... ..	4	9	1	1½	1	6	1	6	—		
Single rials ... ..	2	4½	0	6¾	0	9	0	9	—		
Quarter rials in proportion; half French louis in proportion with whole one.											
English crowns ... ..	20	0	5	0	not men- tioned		7	6	—		
Half-crowns in proportion.											
Shillings ... ..	4	0	1	0	not men- tioned		1	6	—		
Sixpences in proportion.											

These are the several pieces of silver money that pass in general in all the Leeward Islands, but there are two pieces more that pass in St. Christopher's and never or very rarely in any other of the Leeward Islands. The one is called *isles de vent* and goes for ninepence: it is a base coin sent over from Old France to pay their regular troops in Martinique and from thence is brought to St. Christopher's by means of a clandestine trade carried on with the French by some of the inhabitants of that island. The other is a Danish piece called a *pistorine* and passes also for ninepence, but of these there are very few. There is also another small French piece of case alloy called a *sous marque* which passes in all the Leeward Islands for 1½d.: it is the least piece of money they have and is very frequently counterfeited by a bit of copper from hence, but the piece being of small value and of absolute necessity people are not very solicitous to diminish the number of them by distinguishing the false from the true.

With regard to the authority by which the several species before enumerated receive their currency in the Leeward Islands, their lordships will remember that there is a general law of the Leeward Islands dated 31 August 1694 and confirmed by the late King William for ascertaining the value of foreign silver coins in the said islands, and their lordships are well apprized of the Act of 6 Ann. This Act does not alter the value of any of the pieces mentioned in the Leeward Island law of 1694 so far as that law goes. Besides these laws there was an order of council issued in St. Christopher's dated 23 August 1715 for raising French crowns to 7s. and the half-crowns and quarter-crowns in proportion; but this order regards St. Christopher's only and does not extend to nor was it ever issued in any of the other islands. Except these I never heard of any authority in settling the value of silver money in the Leeward Islands, but some of the oldest settlers there have assured me that the silver money of those islands has not varied in

its currency (except at St. Christopher's) for 40 years last past, nor has been there any express agreement either public or private relating to it in any of the islands. Give me leave to mention one or two matters of fact which relate to this point. The first is that of all the species of silver money before enumerated there are scarce any to be seen in the Leeward Islands but French crowns, half-crowns and quarter-crowns – double, single and quarter rials of Spain. The latter species though it goes by tale at the value prescribed by the proclamation is all clipped: the former indeed is milled and cannot be clipped but it passes current at more than the said value which comes to the same thing in the end.

From hence their lordships will conceive how difficult it will be to fix and establish the value of money in the colonies by proclamation or Acts of Parliament, since it is next to impossible either to prevent clipping the Spanish money or to oblige people to carry a pair of scales in their pockets and to weigh each small piece that goes current for every trifle that is bought and in general all money whether liable to be clipped or otherwise that circulates in the Leeward Islands must pass above the value fixed by her majesty's proclamation. For those islands having no trade with any foreign nation that brings in a quantity of cash in any sort equal to their common necessities, consequently they must purchase it as they chiefly do in Great Britain; so that beside the prime cost or the real value of the money there is an advanced value to be paid if I may so express myself for commission, freight and insurance, and over and above all this there must be a profit besides to induce persons to follow this kind of traffic.

To make this clearer by an example, I will suppose a merchant in the Leeward Islands to give an order to purchase pieces-of-eight in Great Britain. A piece-of-eight of 17dwt. 12grs. will cost 4s. 6d.; exchange between the Leeward Islands and Great Britain at 35*l.* 6s. 8*d.* per cent. or one-third advance, 16s. 6*d.* [*Sic*, should presumably be 1*s.* 6*d.*]. The first cost of a piece-of-eight in money of Antigua is 6s., to which must be added for commission 1½ per cent., for freight 2 per cent., and for insurance 2½ per cent., in all 6 per cent., 4¼*d.*: the first cost and charges of a piece-of-eight 6s. 4¼*d.* So that the first cost and charge of a piece-of-eight will be 6s. 4¼*d.* besides the profit the merchant expects to make by sending for it. From this state of the case their lordships will plainly see that no man in his senses will send for a piece-of-eight from Great Britain of full weight which must cost him 6s. 4¼*d.* to place it in the Leeward Islands and pass it away afterwards for 6s. only, the value it is not to exceed by her late majesty's proclamation. On the contrary, the heavy silver which sometimes chanches to pass by tale is constantly secured and made use of by way of returns for Great Britain.

I will add one matter of fact more with regard to the silver coin current in the Leeward Islands, namely that the necessity that the people there are under through want of a circulation of money for the small occasions of life is so great that though they know the double, single and half-rials are clipped to about two-thirds or three-fourths of their weight, they take them by tale for the full proclamation value and at the same time give 3*s.* for the change of a pistole into this clipped species of silver.

With regard to gold, the several species current in the Leeward Islands are hereunder expressed together with the value they pass at generally in those islands: double doubloon of Spain, 5*l.* 12*s.*; pistole of ditto, 1*l.* 8*s.*, single doubloon and half-pistole in proportion; johannes of Portugal, 6*l.* 6*s.*; moidores of ditto, 2*l.* 2*s.*, the half and quarter piece of each in proportion; moidores of France, 2*l.* 2*s.*; guineas of ditto, 1*l.* 13*s.*; pistoles of ditto, 1*l.* 8*s.*; English guinea, 1*l.* 13*s.*, half-guineas in proportion. There is no Act of Parliament in Great Britain or of assembly in the Leeward Islands or any order of council that settles or regulates the value of gold in the said islands, and the several species beforementioned pass within the same by tale and not by weight except at the island of Antigua where several of the principal inhabitants in order to prevent the farther



clipping of the gold coin have agreed to pay and receive it by weight after the rate of  $3\frac{1}{2}d.$  per grain money of Antigua, the real value of which is but  $2d.$  per grain sterling,  $1/43d.$  less supposing it to be standard. From what has been said before with regard to the silver species it must be supposed that that species of gold coin which is either most liable to be clipped or of the greatest alloy and the least weight in proportion is such as is unlikely to circulate chiefly in those islands and in fact a Spanish pistole and a French moidore are the most common: the first should weigh  $4dwt.$   $8grs.$  but has been clipped to bare  $4dwt.$  for many years and yet constantly passes at  $28s.$  which is the exact amount of gold at  $3\frac{1}{2}d.$  per grain according to the Antigua agreement; and as to the French moidore it is of less value by near  $3s.$  money of the Leeward Islands than the Portuguese, though they pass by tale at the same value. Consequently there are many of the former current, but few or none of the latter. *Signed. 3 pp. Endorsed, Recd., Read 19 December 1738. [C.O. 152, 23, fos. 166-167d.]*

## 548

December 20.  
Palace Court.

Minutes of Common Council of Georgia. Read report from committee of accounts that, having examined the annual account from 9 June 1737 to 9 June 1738, the balance remaining unapplied they find  $4,226l.$   $0s.$   $6d.$ , which the Bank has certified to be there on 9 June 1738. The account was read and agreed to. Resolved that any three of the council wait on the Lord Chancellor and Master of the Rolls with the said account. Ordered that when it is presented 100 copies of it be printed.

Read report from committee of accounts that they had examined the account current sent the Trustees by the executors of Isaac Chardon together with a letter from the executors dated 27 August 1737 desiring the Trustees to settle the account with Messrs. Peter and I. C. Simond; that they had been attended by Mr. Simond who acquainted the Trustees that Mr. Chardon's estate paid him interest at 5 per cent. per annum for money due and therefore hoped the Trustees would allow interest at same rate for what should appear due from them to said Mr. Chardon's estate, and that this balance due to the estate was found to be  $2,693l.$   $12s.$   $5\frac{1}{2}d.$  South Carolina currency and in sterling at three different rates of exchange  $380l.$   $17s.$  The committee were of opinion that  $300l.$  of this sum should carry interest at 5 per cent. from 16 January 1735/6,  $38l.$   $17s.$   $2d.$  from 21 April 1736, and the residue should carry no interest. Resolved that the council agree to this report. The accountant acquainted the council that he had computed the interest on these two sums at  $49l.$   $1s.$   $10d.$ , which added to the balance made the sum payable  $429l.$   $18s.$   $10d.$  Resolved that said sum be paid; signed draft on Bank for the same.

Read extract of letter from Rev. Urlsperger to Rev. Ziegenhagen dated 15 September 1738 desiring that a smith, shoemaker and other Salzburgh tradesmen with some of the same country unmarried women which are wanted at Ebenezer be sent to Georgia on the Trustees' account, Mr. Bolzius having certified how necessary such people would be. Resolved that a sum not exceeding  $100l.$  be applied for sending over the said people, Mr. Ziegenhagen to communicate the same to Mr. Urlsperger and the persons to be sent to be at London by middle of February next.

Committee of any five of the council empowered 17 July last to draw on the Bank for payment of  $4,209l.$   $13s.$   $9d.$ , the remaining certified accounts, reported: that on 23 August a draft was made on the Bank for  $3,967l.$  to Ald. Heathcote for payment of all the accounts (except one for  $241l.$   $19s.$   $9d.$  for which a security was necessary for the Trustees to be indemnified against double payment); that on 6 September the draft of a proper bond of indemnity being approved of, the other was ordered to be paid on Lawrence Williams's signing such bond and that a draft was made on the Bank accordingly. Committee who attended the cancelling of the Trustees' sola bills returned to

England and paid in the year ending 9 June 1738 reported that on 30 October and 4 November last 1846 of the said bills were cancelled amounting in value to 4,532/.

Received certified account for provisions and necessaries dated 7 March 1737/8 amounting to 57/. 17s. due to recompense Stanberry, which was brought to payment soon after the order of 17 July for paying the certified accounts. The accountant acquainting the council that this account was certified before Mr. Causton had acknowledged the Trustees' orders for certifying no more accounts; ordered that it be paid. An application from John Francis Fressin by letter of attorney from the heirs of Samuel Wagner, deceased, late of Hampstead, Georgia, for leave for Adrian Loyer of Savannah and Peter Morelle of Highgate, Georgia, executors, to dispose of the testator's lot at Hampstead was read; ordered that it be referred to a committee of any three of the council. Read petition from Samuel Hurst and John Pye, clerks in the store in Georgia, for increasing their salaries or being discharged from their contracts; ordered that it be referred to a committee of any three of the council. The accountant acquainted the council that a certified account for provisions and necessaries dated 20 August 1738 for 587/. 13s. due to Robert and John Williams was brought for payment on 2nd of this month and another dated 5 August 1738 for 426/. 0s. 2d. due to Samuel Montaigut & Co. on 7th of this month; resolved that an answer be given to the proprietors of the said accounts that the Trustees will not pay them but they must send them to Georgia for payment.

Read the several proposals of Rev. George Whitefield returned from Georgia for priest's orders relating to his going back and being settled by the Trustees a missionary in Georgia, enclosed in his letter to the accountant dated 16th of last month; read also his letters of 16th of this month and of this day. Resolved that he be appointed missionary at Savannah with allowance of 50/. a year and that this resolution be certified to the Bishop of London that he may admit Mr. Whitefield into the order of priesthood. Resolved that Rev. William Norris, appointed 12 July last to perform all religious and ecclesiastical offices in Georgia, be appointed missionary at Frederica with an allowance of 50/. a year and that he be directed to go to Frederica on Mr. Whitefield's arrival at Savannah. Resolved that directions be given for building a house at Frederica for said Mr. Norris and that a proper place be made fit for the inhabitants to assemble in for divine service until a church can be built there. Resolved that the benefactions to be collected by Mr. Whitefield under the commission he desires shall be applied for erecting an orphan house in Georgia and a place of worship for the Salzburghers at Ebenezer. Resolved that supplies to Mr. Whitefield shall be in money and that a 5-acre lot at or near Savannah be granted to him, to be fenced and cleared by the Trustees' servants; same to Mr. Norris at Frederica. Resolved that 6/. be paid to Mr. Whitefield to buy necessaries for Mr. Habersham, the schoolmaster; that the churchyard at Savannah be new fenced and christening basins, burying cloths and handsome brass candlesticks be bought as desired by Mr. Whitefield; that the offer of a young gentleman from Bristol proposed by Mr. Whitefield to be an universal apothecary at Savannah to serve the poor gratis and those that can pay at prime cost be accepted, he to send particulars of drugs, food and raiment required; and that 15/. be paid to Mr. Whitefield which he furnished Mr. De la Motte with, who was late schoolmaster at Savannah in his return to England. 9½ pp. [C.O. 5, 690, pp. 180-189.]

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December 20.  
Whitehall.

Council of Trade and Plantations to Committee of Privy Council. Pursuant to your order of 1st inst. we have considered of proper persons to be appointed commissioners for settling the boundary dividing Massachusetts and Rhode Island and name the five eldest councillors of the



three neighbouring provinces: Cadwallader Colden, Abraham Vanhorn, Philip Livingston, Archibald Kennedy and James De Lancey for New York; John Hamilton, John Wells, John Reading, Cornelius Vanhorn and William Provost for New Jersey; William Skene, William Sheriff, Henry Cope, Erasmus James Philipps and Otho Hamilton for Nova Scotia, which last gentleman we have substituted for Major Paul Mascarene who was formerly left out by your order on the like occasion because he had an estate in Massachusetts. The agents of Massachusetts and Rhode Island have no objections to the said nomination. *Entry. Signatories*, Monson, M. Bladen, R. Plumer. 2½ pp. [C.O. 5, 917, fos. 117-118; draft in C.O. 5, 897, fos. 151-152d.]

550

December 20.  
Boston.

Governor Jonathan Belcher to Council of Trade and Plantations. I have lately received your letter of 10 August past in answer to thirteen of mine from December 1736 to January last. You say that you have had the several matters under your consideration but are not come to a resolution; many of them greatly affect H.M.'s honour and interest here as well as the welfare of his subjects. I shall therefore hope for such particular answers as you shall think necessary.

I enclose a short account of the state of the credit bills now extant and passing in this and the neighbouring provinces which is as full and concise as I am able to make it. And I will ask your leave to repeat what I have formerly mentioned on the score of bills of credit now standing out in this province and according to the several Acts by which they were issued must come in by the end of 1741 if the government have a just regard to the public faith. And as to the part I am to act in it I shall dutifully observe the king's royal 16th instruction to me so wisely calculated for the honour of H.M.'s government and for the real welfare of his people. But if that instruction be relaxed and the assembly might once again break in upon their public faith by postponing their taxes even to a year beyond the period in which they have promised to bring in their bills or might be suffered to issue new bills that should not be punctually brought in at the end of each year in which they should be issued, such bills would soon be more vile than what they have issued for some years past. But while the province issued bills only for defraying their public charge and they were punctually brought into the treasury by the end of the year in which they were issued they fully maintained their primitive value; but latterly they have been one constant public fraud on all persons of substance and probity, and the people of Great Britain trading hither have felt the bitter effects of such bills passing here in lieu of money. Notwithstanding all this, since the people here have for thirty odd years past been used to a paper currency and are drained of silver and gold and have so large and various a commerce, I think it might be much for the ease and consistent with the interest of H.M.'s subjects here to have a bank established for circulating bills of credit provided such an one can be projected as will punctually maintain the value from time to time of the bills that go from it; and many gentlemen of the present assembly are now endeavouring to bring in such a projection for H.M.'s approbation, and if it can be brought to a rational maturity I shall transmit it to you with my remarks. Journals of House of Representatives herewith transmitted. *Signed*. 7 small pp. *Endorsed*, Recd. 8 February, Read 15 February 1738/9. *Enclosed*,

550. i. Boston, 20 December 1738. A brief account of the paper currency in New England. Massachusetts having in 1690 been unsuccessful in an expedition to Canada and the forces at their return pressing for their pay when there was no money in the treasury, the government caused to be imprinted 40,000*l.* in bills of credit of 20*s.* With these bills they paid off the soldiers and promised to receive them into the treasury for all public dues at an advance of 5 per cent. They quickly passed

current at par with silver and gold and in a few years were all sunk by taxes and the paper currency ceased until about 1702 the government again emitted 10,000*l.* in bills of the same tenour with the first and therewith paid off the public debts of that year and laid a tax on the next year equal to the emission of bills and still received the bills at an advance of 5 per cent. beyond silver and gold. They continued in this practice for several years and the quantity of bills being small compared with the silver and gold then current, they kept up their credit until about 1711 a large sum was emitted and that not to come in again till some distant years, and Connecticut and Rhode Island about the same time putting forth their bills they then began to depreciate and silver and gold no longer remained current but became a commodity and has ever since been bought and sold with bills as all other merchandise has.

In 1714 the government made 50,000*l.* in bills which they let out on interest at 5 per cent. The whole of the principal to come in at the end of five years. In 1716 was made another loan of 100,000*l.* at the same interest with the former; and in 1720 another of 50,000*l.*; and in 1727 another of 60,000*l.* Of these loans there is about 60,000*l.* still outstanding though the time for payment of the last is expired and the first ought to have been paid more than twenty years ago. As the bills have been thus multiplied so they have gradually sunk in value till in 1733 silver had risen to about 20*s.* the ounce, at which time Rhode Island emitted by a loan to be paid in twenty years 104,000*l.*, Connecticut 40,000*l.*; a number of merchants of Massachusetts by their private notes which passed current with the public bills of credit 100,000*l.*; and the Massachusetts treasury was likewise supplied at that time with upwards of 70,000*l.*; all which amounted to above 300,000*l.* This presently sunk the currency in its value and silver rose from 20 to 27*s.*, the present rate of it. The Massachusetts bills have been lessening in number ever since. They have now about 180,000*l.* current that must come in by 1741. [*Tabular account of emissions 1728-1736 shows 63,025*l.* to come in in 1739, 64,525*l.* in 1740 and 52,525*l.* in 1741*]. The bills on the several loans being about 60,000*l.* makes the Massachusetts about 240,000*l.*, Rhode Island has as great a quantity though they are not larger either in inhabitants or extent than some of the Massachusetts counties and they are now imprinting 100,000*l.* more. Connecticut has about 50,000*l.* out, New Hampshire about 10,000*l.* all which have as free a currency in this government as in those where they were emitted.

Massachusetts in 1736 finding the paper currency had been a long time declining resolved upon a reform of their bills for although the taxes to be made would be a sufficient security to the public for bringing into the treasury those bills that had been emitted to pay the charges of the government as the estates mortgaged were those that were out on loan yet this was no manner of security to the possessor of the bills that they should purchase as much silver or any commodity this year as they did the last, nor could any possible reason be given why silver might not as well fetch 47 as 27*s.* the ounce. In order therefore to put a stop to this great evil they resolved on an emission of bills that year of a new tenour, one of which should be equal to three of the old bills of the same denomination and to silver at 6*s.* 8*d.* per oz. and gold in proportion. They promised that whoever brought any of these bills that should be extant in 1742 they should be exchanged by silver at 6*s.* 8*d.* per oz. as all the old bills at 20*s.* and they proposed thus to enable themselves to do it. All the bills that were extant they had promised at the time of their emission should be brought in by taxes by 1741 except what were out on loans which ought to come in immediately. If the bills come in according to the taxes there will be none extant in 1742 and so no demand on the treasury; but if the person taxed could not procure



bills and discharge it, then in lieu thereof he must pay an ounce of silver or gold proportionate for every 20s. of the old bills and every 6s. 8d. of the new or hemp or flax with which the treasurer shall purchase silver and gold and therewith redeem the bills that are left in other persons' hands. All the bills thus coming in by 1741 and likewise those emitted for the charges of each intervening year will occasion a heavy tax on the province but the greater difficulty is that in 1742 a full stop will be put to the currency of all bills and we are altogether drained of silver and gold so that unless some expedient can be found we shall be wholly destitute of a medium to the ruin of trade and the disabling the inhabitants from paying their taxes to the support of H.M.'s government. This put the general court on the scheme for emitting 60,000*l.* in bills by loan to such persons as could give security to pay annually for two years one-tenth part in silver and gold. This will enable the province to exchange the bills from the possessors at convenient periods. No bills have ever been proposed so likely to answer the ends of a medium and keep up their value as these. If we have any bills they must be bills of credit; had we silver and gold to pay them on demand there would be no occasion for bills of any sort. Besides, there will be this great advantage by the proposed scheme that whenever the bills are exchanged and their currency ceases, there will be the like quantity of silver and gold left as a medium in their room, which can in no other way be so easily introduced into the province. *Signed.* 10 small *pp.* *Endorsed,* as covering letter. [*C.O.* 5, 881, *fos.* 42-49*d.*]

551

December 21.  
Boston.

Governor Jonathan Belcher to Council of Trade and Plantations. In reply to enquiry concerning any members of the council of New Hampshire dead or absent, nothing has happened since I last wrote you of Mr. Benning Wentworth's absence which has been now four years without any licence of leave from me. And as H.M. says in his royal order to me in such case "Their place or places in our said council shall immediately thereupon become void and that we will forthwith appoint others in their stead", I thought it my duty to acquaint you, as I did in September last [*Marginal note:* No letter of that date received, 12 February 1738/9] of Mr. Wentworth's long absence and then recommended Mr. Samuel Sherburne to be appointed in his stead; and I am accordingly expecting the King's *mandamus* appointing the said Mr. Sherburne to be one of H.M.'s council for New Hampshire that the number may be complete. Proceedings of the recent assembly of New Hampshire enclosed.<sup>1</sup> *Signed.* 3 small *pp.* *Endorsed,* Recd. 8 February, Read 15 February 1738/9. [*C.O.* 5, 881, *fos.* 50-51*d.*]

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December 21.  
Whitehall.

Thomas Hill to Francis Fane transmitting the case of Mr. Hammerton and other papers for his opinion thereon in point of law. *Entry.* ½ *p.* [*C.O.* 5, 401, *p.* 328.]

553

December 21.  
St. Simon's Fort.

John Mackintosh Moore to Harman Verelst. When I had yours of 11 August I was in company with Gen. Oglethorpe, in which you desire an account of 40 menservants, 10 womenservants, one girl and a boy. Of the menservants, 25 were issued to the freeholders of the Darien at 8*l.* per servant and 15 remaining to the Trustees of which four died and eleven remain. All of them for a long time not agreeing with the climate were sickly; and at our several alarms before the troops' arrival were obliged to attend at the southern parts of the province

<sup>1</sup>See No. 565.

and were a long time before I could get them to the knowledge of the art of sawing; but at last they attained to it and are now in a fair way to make a return to the Trustees for the expenses they have been at. You likewise direct that seven of the menservants should go to cultivate 300 acres of land in the southern parts of the province and the remainder (being four) to be given to the freeholders of Frederica. I have advised with Gen. Oglethorpe, and he finding that they now go on with sawing and having several thousands of feet of sawn boards ready to be employed as the Trustees please, therefore he did not think proper to take them off. And as to the womenservants you desire an account of, several of the soldiers petitioned the general to have them for wives and he seeing that they were for no manner of service to the Trustees and they also being very burdensome to the stores, he gave them leave to marry.

You also write that the Trustees expect that the freeholders of Darien should make immediate payment for their servants, but please give me leave to acquaint you that notwithstanding the people being very industrious they have received no manner of coin for their labour since they came to this place nor any other return whatsoever, by which means they are quite unable to answer any demands at present; and likewise they being so often alarmed and fatigued with doing duty at the Darien and other places of the province they had little or no time to raise provisions the last year though each freeholder of Darien fenced, cleared and planted five acres of land. But the season proved so very dry that the greatest part of the corn was quite demolished and by that means we might all have starved had not Gen. Oglethorpe considered our case and allowed us for each head for one year the following allowance: 12 bushels of Indian corn, 100 lbs. of meat, 52 pints of molasses, as also a certain quantity of clothes and shoes. When I go to the Darien I shall by first opportunity give you a more particular account of the above servants and likewise of what credit Gen. Oglethorpe gave us.

I cannot conclude this letter without beseeching the Trustees seriously to consider our present circumstances in regard to sawing timber, the only way that we have to subsist in Darien. If they give us due encouragement by buying the same at a reasonable rate or by encouraging strangers to export it from us or by such other ways as they think proper, we shall not only be enabled to pay for their servants but also subsist our families. But if this our only branch of trade be not encouraged, it is morally impossible that we can be able to subsist ourselves and families at the Darien. *Signed, 2 pp. Endorsed, Recd. 28 August 1739. [C.O. 5, 640, fos. 245-246d.]*

554

James Oglethorpe to Harman Verelst. Mr. Mackintosh spoke to me

December 21. and showed me your letter to him of 11 August. I found that he had disposed pursuant to the Trustees' orders a part of the servants to the freeholders of Darien upon credit, which encouragement had enabled that settlement to continue under all the difficulties arising from the Spanish alarms etc., they being the frontier settlement on the continent. The remaining servants he had reserved in the Trustees' hands. The women were a dead charge to the Trust excepting a few who mended the clothes, dressed the victuals and washed the linen of the Trustees' menservants. Some of the soldiers who were Highlanders desiring to marry them women, I gave them leave upon their discharging the Trustees from all future charges arising from them. The menservants are now taught to saw and they make good work and indeed are the only hands in the province that bring any advantage to the Trust. I therefore thought it improper to take them from the saw till the Trustees knew the circumstances and gave their farther orders. They are now sawing timber for the church or rather chapel at Frederica, which I have agreed to have built. The whole building will be 60 foot long by 20 foot wide, three storeys, the two lowermost cellars and rooms for provisions,



books etc. and the uppermost a chapel. The assistance of the timber, the work of the Trustees' servants, and the flints I brought over, will make such a saving that I think I shall get the whole finished for less than 150*l.* exclusive of the timber and labour of the Trustees' servants; and if this building was to be performed without their assistance it would have cost above double that sum. It is impossible at present for the freeholders at Darien to pay in money for their servants but they are very willing and able to pay in sawed stuff both for that and the provisions which they owe. They have wanted provisions for three-quarters of this year, having raised but just enough corn to supply themselves three months. I am forced therefore to let them have one bushel of corn and 8 lbs. of meat per head per month upon credit. *Signed. 2 pp. Endorsed, Recd. 28 August 1739. [C.O. 5, 640, for. 243-244d.]*

555

December 22.  
Georgia Office.

Harman Verelst to General James Oglethorpe by the *America*, Capt. John Gerald. The Trustees thank you for your letter of 13 September last and long to hear of your welfare by the next letters. They have heard of your safe landing by way of Charleston and New York and hope soon to have particulars from yourself. Mr. Whitefield on 13th inst. brought them letters from Mr. Stephens and Mr. Causton in July and August last and two more certified accounts have been presented to the Trustees which were certified by Mr. Causton, the one 5th August last for 426*l.* or. 2*d.* to Messrs. Samuel Montaigne & Co. and the other the 20th of the same month to Messrs. Robert and John Williams for 587*l.* 13*s.*, which are both sent back to Georgia for payment. These were certified long after Mr. Causton promised to obey the Trustees' orders and certify no more accounts. The Trustees have received the *South Carolina Gazette* wherein a stop is put to further debts by the notice published therein on 7 September last. The parliament meets 18th of next month and the Trustees hope to have a further supply, they having nothing left. And if the effects in Georgia don't answer the accounts sent back for payment they will be much in debt, the accounts sent back amounting to upwards of 3,000*l.* The Trustees have paid Mr. Simond everything due to Mr. Chardon's executors. *Entry. 3/4 p. [C.O. 5, 667, fo. 104, 104d.]*

556

December 22.  
Georgia Office.

Same to William Stephens by *America*, Capt. John Gerald. Mr. Whitefield being so long in his passage, the Trustees did not receive your letters of 25 July and 26 August until 13th inst., which made them so uneasy at your silence as in my last letter to you I mentioned. And to prevent the like for the future the Trustees desire you may write to them by way of New York when sloops give you an opportunity as well as by way of South Carolina. The Trustees have received your journals from 27 May to 26 August which accompanied your letters and a committee meet next Wednesday to consider them and the other papers and letters before them. You give them an entire satisfaction in your particular and honest account of things, their ears desire to be open to truth only and your adherence to the principles you have hitherto continued to show in their service will, as well as has, convinced them that they were not mistaken in the expectations they had from your engaging in their service. I acknowledge receipt of your letters to me; those you forwarded were carefully sent as directed. Joseph Wragg's account of the charges when Thomas Stephens arrived at Charleston in December last has never been sent to the Trustees but I have by this ship written to him to charge the 50*l.* currency he supplied your son with to the Trustees' account. P.S. Capt. Shubrick who is to sail next month will bring very full letters from the Trust and Mr. Whitefield intends to return to Georgia soon after that ship. Enclosed is copy of things sent by this ship which Mr. Abercromby is to forward from Charleston to you: please take care they are delivered as directed with the

several letters herewith sent. You are desired to enquire if one Mr. Webster Taylor, formerly an attorney in New Inn, be in Georgia or not, he being a witness to a will and his being alive to be examined a matter of great service to the person who desired this enquiry. The vine cuttings in the enclosed bill of lading are sent to be planted in the colony. *Entry.* 1 p. [C.O. 5, 667, fos. 104d, 105.]

557

December 22.  
Georgia Office.

Same to Thomas Causton by *America*, Capt. John Gerald. On 13th inst. the Trustees received your letters of 25 July and 26 August last with the continuation of your journal to 24 September 1737, the issues of stores for November 1737 and the duplicate of receipts for money paid from Christmas 1737 to Midsummer 1738; and those receipts as far as they are intelligible for what service the monies were so paid shall be posted off to your credit, but those which are not must remain a charge on you until they are explained as the former queries on your payments have been made for want thereof. Those letters, journals and papers you have transmitted will be taken into consideration next week by the committees of correspondence and accounts. But the Trustees are much surprised at your breaking your promise to them which you made in your letter of 26 May last to obey their orders and not certify any more accounts; and instead thereof dared to venture to certify an account 5th August last to Messrs. Samuel Montaignut & Co. for 426*l.* or. 2*d.* and another 20th of the same month to Messrs. Robert & John Williams for 587*l.* 13*s.*, both of which are returned to Georgia for payment whereby the accounts sent back amount to upwards of 3,000*l.* to be paid out of the Trustees' effects in Georgia. What those effects are the Trustees are ignorant of, but by the sums they have paid and the orders they have given they know what they ought to be. In your letter to me of 26 July last you mention that you had taken an inventory of stores to midsummer 1738; and, if taken, sure a copy might have been made which was so necessary a work to have been done and sent that no multiplicity of business could have prevented it. And the not sending it, the Trustees blame you much for. *Entry.* 1 p. [C.O. 5, 667, fo. 105, 105d.]

558

December 22.  
Georgia Office.

Same to James Abercromby, H.M.'s attorney-general at Charleston. I received yours of 8 September last on 13th inst. by Mr. Whitefield with the *South Carolina Gazette* enclosed. The Trustees are glad to hear of your arrival and are obliged to you for your care in having their notice published, the expense whereof you will be duly satisfied. Enclosed bill of lading of parcels consigned to you to be forwarded with the packet for Georgia to William Stephens. *Entry.* ½ p. [C.O. 5, 667, fo. 106.]

559

December 22.  
Georgia Office.

Same to Lieut. William Horton. The Trustees received your letter of 28 August last on 13th inst. and they are obliged to you for the account you gave them of the situation of the southern part of the province of Georgia and for the pains you have taken with the people at Frederica. Your conduct relating to the Spanish launch the Trustees very much approve of and they are glad to congratulate you on your promotion to a lieutenantancy in Gen. Oglethorpe's regiment which they think you very deserving of. *Entry.* ½ p. [C.O. 5, 667, fo. 106.]

560

December 22.  
Georgia Office.

Same to Joseph Wragg at Charleston. Having never received account of expense in sending passengers and goods consigned to you by *Minerva*, Capt. Nickleson, which by your letter of 21 December 1737



you informed me you had forwarded to Savannah; and Thomas Stephens having acquainted me that you supplied him with 50*l.* South Carolina currency when he landed at Charleston; you are desired to place that 50*l.* currency to the Trustees' account and when your account of the said expense is forwarded to England for examination it will be duly paid. *Entry.* ½ *p.* [C.O. 5, 667, *fo.* 105*d.*]

**561** ~ Minutes of meeting of Trustees for Georgia. Sealed commission to  
December 27. Rev. George Whitefield to collect benefactions in general but which  
Palace Court. when collected are particularly to be applied for erecting an orphan  
house in Georgia and building a place of worship for the Salzburghers at Ebenezer.  
½ *p.* [C.O. 5, 687, *p.* 96.]

**562** Certificate to Bishop of London that the Trustees for Georgia will  
December 27. appoint Rev. George Whitefield to be missionary at Savannah, if he is  
admitted to the order of priesthood. *Entry. Signatory,* Harman Verelst. ½ *p.* [C.O. 5, 670,  
*p.* 391.]

**563** Lieut.-Governor George Clarke to Duke of Newcastle. I spoke to  
December 28. the advocate-general to give me an account of the present situation  
New York. of the prosecution commenced in the court of Admiralty against  
Burrows, that I might lay it before you; which he has done in the enclosed letter,  
whereby you may observe that he yet wants evidences to prove the facts wherewith  
Burrows is charged, which he supposes are only to be got at Gibraltar and Sallee, to  
which places he must send commissions. I therefore hope that you will give directions  
that I may be instructed therein. Burrows, it seems, is retired to Curaçao, an island in  
the West Indies subject to the States General, and will hardly venture again into any  
part of the king's dominions. *Signed.* 1½ *pp.* *Endorsed,* Duplicate, Recd. June. *Enclosed,*

563. i. Richard Bradley to Lieut.-Governor Clarke, New York, 23 December  
1738, giving account of the proceedings against Burrows. He has done all in his  
power to bring this vile fellow to justice. None of the papers yet received can be  
admitted as evidence: examinations must be taken at Gibraltar and Sallee, and a  
commission has been granted to take Burrows's answer at Curaçao. *Copy.* 3½ *pp.*  
[C.O. 5, 1094, *fos.* 81-84*d.*]

**564** Certificate by Governor Jonathan Belcher that the following are  
December 30. copies of Acts passed in the last session of the general assembly of  
New Hampshire, vizt. Acts to prevent counterfeiting bills of credit; for assessing rates  
and taxes; for prosecuting writs of ejectment and trespass; for amending errors and  
defects in reasons of appeal; for making a new parish in town of Kingston; to excuse  
persons in the northerly part of Hampton from paying to support the ministry in the old  
town of Hampton. *Signed. Seal.* 1½ *pp.* *Enclosed,*

564. i. The Acts referred to in the above certificate. 15 *pp.* [C.O. 5, 932, *fos.*  
4-13*d.*]

**565** Certificate by governor Jonathan Belcher that the following are copies  
December 30. of proceedings of the general assembly of New Hampshire at Ports-  
mouth 1-17 November 1738. *Signed. Seal.* 1½ *pp.* *Enclosed,*

565. i. The papers referred to in the above certificate. 19 *pp.* [C.O. 5, 932, *fos.*  
14-25*d.*]

566

December 30.  
Jamaica.

Governor Edward Trelawny to Duke of Newcastle, transmitting copy and translation of governor of Havana's reply to letter of 27 October last. I sent in my letter of 6 November a list of Spanish ships of war in these parts. Since that I am informed that on 13 November the Spanish squadron sailed from Havana and divided, four 50- and 60-gun ships going to Vera Cruz and six to Carthagena. Of these last, two are of 20 guns each, the rest 50 and 60. *Signed*. P.S. I shall trouble you with no observations on the governor's letter only to mention that Bedlow, the supercargo of the sloop *Union*, is come hither in Capt. Master's ship and acquaints me that he confessed his first orders were to trade on the South Keys on the coast of Cuba but that afterwards he had fresh ones to go to Hispaniola; but that he had not broken bulk or traded and was no nearer the Spanish coast than where the pilots of the country owned he might have been driven to. This was the confession he acquaints me that he made, which he was induced to out of fear of bad treatment, to make his condemnation easier to the Spaniards. *Duplicate*. 2½ pp. *Endorsed*, Recd. 2 April; copy sent to Mr. Keene and Mr. Castries 8 May 1739. *Enclosed*,

566. i. Governor of Havana to Governor Trelawny, 29 November 1738. In reply to your letter of 27 October last, I cannot give you the satisfaction you seek in the restitution of the *Sarah* and the *Union*. The *Sarah* was taken by the packet-boat commanded by Don Joseph Campuzano belonging to the Barlovento fleet: it is out of my jurisdiction. The *Union* was taken by the *guardacostas* of this island very near Cape de Cruz, and is deemed lawful prize, the master and merchant confessing they came to trade on the coast and the vessel being laden with dry goods and only very few slaves. The captain told me he had been 20 or 25 times at Bajama, Manzanillo and Puerto del Principe. I hope you will restrain such illicit trade. What most surprises me is the advices I have received that a British frigate of 40 guns convoyed these illicit traders from Jamaica. You refer also to the detention of the *Loyal Isabel* packet-boat, George Wane master, and the *James* sloop employed by the Asiento. The packet-boat was detained in the belief that war had been declared at Jamaica, and will now be set free. The treatment you gave to the register-ship from the Canaries, carried into Jamaica by an English man-of-war, did not cause me to hasten the release of the *Loyal Isabel*, for this case was of a different nature. The detention of the *James* has been entirely owing to the standing rules of the Spanish American ports, and she now sails with the bearer of these letters. *Spanish. Copy. Endorsed*, as covering letter. 7 pp.

566. ii. English translation of the preceding. 7½ pp. [*C.O.* 137, 56, *fos.* 164-174d.]

567

[No date.]

List of letters from and to Don Thomas Geraldino upon the affair of Georgia. (1) Geraldino to Duke of Newcastle, 21 September/2 October 1736, asserting Spanish claim to Georgia and Carolina and complaining of attack by people of Georgia on Spanish fort. (2) Duke of Newcastle to Geraldino, 25 November 1736. The Trustees for Georgia say they have avoided giving occasion of dispute. (3) Geraldino to Duke of Newcastle, 28 July/8 August 1737, asking for a stop to settlement of Georgia, the demolition of new forts and the preventing Mr. Oglethorpe's return thither. (4) Duke of Newcastle to Geraldino, 2 September 1737, refuting and rejecting the Spanish claims. H.M. is willing to refer all disputes to commissioners. (5) Geraldino to Duke of Newcastle, 27 March/7 April 1738, accepting offer of commission provided that the conferences shall not last above six months and that neither side shall possess the territories or new forts erected. (6) Duke of Newcastle to Geraldino, 11 April 1738. The king cannot agree to the evacuation of territories or demolition of forts before the conferences. (7) Geraldino to Duke of Newcastle, 29 May/9 June 1738,



inviting the sending of two commissaries to Madrid to regulate the limits between Florida and Carolina. (8) Duke of Newcastle to Geraldino, 21 June 1738. The king will name commissaries and their commission will be dispatched without delay. (9) Representation of Trustees for Georgia, 20 October 1736, stating that the things complained of by M. Geraldino were not done by the inhabitants of Georgia but by neighbouring Indians. They have not directed any settlements but within the limits of their charter. They do not believe that any of their people have made the incursions into Spanish territory alleged. *Draft. 9 pp.* [C.O. 5, 654, *fos.* 180-185*d*; duplicate draft of (1)-(8) at *fos.* 176-179*d*.]

## 568

Proposals for regulating the limits of Carolina and Florida. Mr.

[No date.]

Verelst's proposal: that the limits of Florida shall extend to the southern shore of the River St. Juan, with the freedom of navigation of that river, being in 30 degrees and 10 minutes latitude; that the limits of Carolina shall extend to the northern shore of the said river in the same latitude; the Spaniards to demolish Picolata, a small fort on the northern side of the river, and to build no new fort on that side; the English to erect no new forts further southward than their present fort called St. Andrew in the island of Cumberland, formerly St. Pedro, latitude 30 degrees, 30 minutes; by which means a space of about 20 miles will be left as a frontier between South Carolina and Florida on the northern side wherein the subjects of neither side to erect forts.

Col. Bladen's proposal: that the limits of South Carolina do extend as far as the river called St. Mathias by the English and St. Juan by the Spanish, where the said river discharges itself into the ocean and is within 31 degrees of northern latitude. 1½ *pp.* [C.O. 5, 654, *fos.* 152-153*d*.]

## 569

Memorial of Andrew Nicholls, Captain-Lieutenant of one of H.M.'s

[No date.]

independent companies at New York, to Duke of Newcastle. After service in Flanders under King William and for the whole of Queen Anne's war, memorialist has served in America since 1711; he built the fort at Oswego in 1727-28. After being several times passed over for promotion, he has now on the vacancy created by the death of Captain William Dick on 11 December<sup>1</sup> last come to England to press his claim. 1 *p.* [C.O. 5, 1094, *fos.* 40-41*d*.]

## 570

Memorial of David Dunbar to Council of Trade and Plantations

[No date.]

describing lands referred to in No. 312 as suitable for a nursery for masts etc. for the Navy, vizt. all unimproved lands on the western or New Hampshire side of the boundary line between that line and the river Newichawannock as far up as the southern end of the Winnepisshechoke pond; all unappropriated lands in the township of Rochester that borders on the western side of the said river; and also between Rochester and the said pond. The first tract was laid out a few years ago by the Massachusetts government but no improvement made. The last mentioned tract was in a very clandestine manner granted away in October last by the governor and a select number of the council at a private meeting. *Signed. 1 p.* [C.O. 5, 880, *fos.* 308-309*d*.]

<sup>1</sup> 11 December 1737. See *Col. S.P. Col.* 1737, No. 638.

## Appendix I

## SOUTH CAROLINA LAND GRANTS

A register of grants of land in South Carolina between the years 1675 and 1765 has been preserved under the reference C.O. 5, 398. The entries for 1738 have been extracted and are given below. The register records the name of grantee, place where the land granted lay, number of acres, date of grant and rent. The rent for all grants made in 1738 was 3s. sterling per 100 acres.

<i>Grantee</i>	<i>No. of Acres</i>	<i>Place</i>	<i>Date</i>
Albergotti, Anthoney	50	Granville County	3 February
Andrews, Joseph	563	Pon Pon River	do.
Angus, John	500	Colleton County	do.
Baley, Thomas	500	Savannah River	12 January
Barrake, Joseph	250	Granville County	16 September
Bartlet, Thomas	450	Pedee River	12 January
Bate, Benjamin	250	Craven County	3 February
Bear, John	50	Granville County	16 September
Bedon, Stephen	1100	Pedee River	10 April
Belin, James	700	Santee River	do.
Bellenger, William	1200	Granville County	do.
Benoist, Peter	341	Craven County	12 January
Berchnech, George	50	Granville County	16 September
Bernard, Elias	100	do.	do.
do.	100	do.	do.
Berry, James	800	Colleton County	10 April
do.	537	do.	do.
Bignion, Joseph	500	Craven County	16 September
do.	500	do.	do.
Black, Joseph	1270	Savannah River	10 April
Bonett, Jacob	lot 261	Purrysburgh township	16 September
Bonninger, Abraham	200	Granville County	do.
Bonyoe, Isaac	150	do.	do.
Bourguin, Benedict	200	do.	do.
Bourguin, Henry	50	do.	do.
Bourguin, John Baptiste	100	do.	do.
Bourguin, Mary	100	do.	do.
Bower, William	108	Colleton County	10 April
Bremar, Elizabeth	1000	Pedee River	12 January
do.	1100	do.	do.
Brewton, Miles	492	Craven County	12 April
Brian, Hugh	200	Granville County	3 February



<i>Grantee</i>	<i>No. of Acres</i>	<i>Place</i>	<i>Date</i>
Brian, Hugh	400	Colleton County	12 January
do.	500	Granville County	do.
Brickele, Christopher	200	Granville County	16 September
Brisban, William	250	Kingston township	10 April
do.	450	Granville County	16 September
Britten, Francis	500	Craven County	3 February
do.	350	do.	do.
Britten, Moses	343	do.	do.
Britten, Timothy	850	Pedee River	do.
Brockington, William	250	Craven County	do.
Broughton, Andrew	4150	Granville County	do.
Broughton, Nathaniel	200	Berkley County	do.
do.	566	Craven County	3 March
Brown, Jacob	300	Colleton County	10 April
Brown, Thomas	550	Craven County	3 February
Buche (Buech), Francis	200	Granville County	16 September
do.	200	do.	do.
Buches, David	350	do.	do.
Buckolt(s), Jacob	250	Craven County	do.
do.	300	do.	do.
Bugnion, Joseph	400	do.	12 January
Bull, William	352	do.	do.
Bullock, James	866	Granville County	16 September
Bunch, John	350	Amelia township	do.
Butler, Josheph	2200	Granville County	10 April
Cassells, Henry	250	Craven County	16 September
Cater, William	218	Berkley County	12 January
Cauley, Elizabeth	200	Craven County	do.
Champneys, John	800	Granville County	10 April
Chardonet, Abraham	300	do.	16 September
Cheavin, Alexander	150	Craven County	12 January
Cheazin, Isaac	350	do.	do.
Chevelis, John	450	Granville County	16 September
Choupart, Daniel	100	do.	do.
Christhlow, James	950	Craven County	12 August
Christians, David	250	Granville County	16 September
Clements, Edward	250	Berkley County	3 February
Coachman, James	550	do.	11 March
Codner, Charles	200	Craven County	19 July
Cole, Robert	330	Stone River	10 April
Coleman, John	100	Berkley County	16 September
Colleton, John	126	Santee River	19 July
Colson, Abraham	800	Colleton County	10 April
Commander, Samuel	185	Black River	12 January
do.	350	Craven County	do.
Cook, Jiles	500	Black River	do.
Cooplet, Roodie	200	Berkley County	16 September
Coram, William	300	do.	19 July
Corbatt, Thomas	100	Kingston township	10 April

<i>Grantee</i>	<i>No. of Acres</i>	<i>Place</i>	<i>Date</i>
Cordes, Francis	427	Berkley County	10 April
Coste, Isaac	150	Granville County	16 September
Cox, Ezekiel	200	Berkley County	12 January
Crawford, James	450	Craven County	16 September
Crell, Joseph	150	Berkley County	do.
Crell, Stephen	250	do.	do.
Croft, Childermas	1050	Craven County	1 June
Dalbiac, David	200	do.	3 February
Darby, Michael	850	do.	12 January
De Beaufain (Baufin), Hector B.			
	lot 153	Purrysburgh township	3 February
do.	800	Granville County	1 June
Delahere, Henry	lot 118	Purrysburgh township	16 September
Delescure, David	150	Granville County	do.
Derick, John Henry	50	do.	do.
De St. Julien, Henry	350	Santee River	3 February
De St. Julien, Joseph	500	Berkley County	12 January
De St. Julien, Paul	653	do.	do.
De St. Julien, Peter	600	Santee River	do.
do.	755	do.	do.
Desouseuire, Henry	300	Granville County	16 September
Devision, Peter Abram	50	do.	do.
Devrill, Lewis	50	do.	do.
Dominick, John	50	do.	do.
Donnom, John	71	Pedee River	10 April
do.	129	Craven County	do.
Drake, Jonathan	100	do.	do.
Drake, Samuel	250	Pedee River	12 January
Duche, Andrew	150	Granville County	3 February
Elliott, Thomas	524	Colleton County	do.
do.	140	do.	10 April
Endertin, Henry	200	Granville County	16 September
Englin, Henry	lot 183	Purrysburgh township	do.
Fallett, Abraham	400	Granville County	do.
Fenwick, John	588	Pedee River	12 January
Ferguson, James	242	Colleton County	10 April
Ferguson, Thomas	145	Berkley County	12 January
Fickling, Jeremiah	450	Craven County	16 September
Ford, Mrs. Mary	500	Pedee River	12 January
Fraser, John	286	Granville County	do.
do.	314	do.	do.
do.	300	do.	19 July
Freeman, William	500	do.	10 April
Fryday, Martin	250	Berkley County	16 September
Gasman, Henry	200	Granville County	do.
Gendron, Col. John	290	Warribais Creek	3 February
do.	500	Craven County	12 January
Gigniliatt, John	500	Berkley County	do.
Glenn, Robert	600	Craven County	do.



<i>Grantee</i>	<i>No. of Acres</i>	<i>Place</i>	<i>Date</i>
Glen, William	300	Craven County	10 April
Godfry, Benjamin	315	do.	do.
Godin, Benjamin	515	Santee River	do.
do.	200	Combee River	do.
Goodman, Thomas	500	Craven County	1 June
Goodwin, Martha	700	do.	19 July
Goodwyenn, John	300	do.	3 February
do.	300	do.	do.
Grange, George	600	Berkley County	10 April
do.	350	do.	do.
Granier (Greenier), John	400	Granville County	16 September
do.	400	do.	do.
Gray, William	500	Berkley County	12 January
Grimball, Isaac	45½	Colleton County	10 April
Grob, Elizabeth	50	Granville County	16 September
Grob, Adelhelth (? the same)	50	do.	do.
Grobs, John	50	do.	do.
Groper, George Schonman	50	do.	do.
Haddrell, George	1860	River May	10 April
Hakoboe, Jacob	150	Berkley County	16 September
Hamilton, Paul	151	Colleton County	10 April
Hamilton, William	200	Craven County	12 January
do.	200	do.	1 June
Harleston, John	165	Cooper River	10 April
Hayden, John	400	Craven County	1 June
Helm, George	600	do.	10 April
Helptads, Gaspurd	lot 254	Purrysburgh township	16 September
Hepworth, Allen	600	Craven County	19 July
Hext, Alexander	900	Pedee River	10 April
Holder, Joseph	150	Craven County	16 September
Holmes, William	500	do.	12 January
Horry, Daniel	825	Little Pedee River	10 April
do.	300	Craven County	3 February
Howard, Thomas	400	do.	do.
Hughes, Meredith	400	Black River	1 June
do.	300	do.	do.
Huguin, David	100	Granville County	16 September
Hume, Peter	900	Craven County	1 June
Inglerine, Anna	250	Granville County	16 September
Izard, Ralph	161	Craven County	3 February
do.	116	Santee River	do.
do.	303	do.	do.
Izard, Walter	600	Craven County	do.
do.	697	Pedee River	do.
do.	500	do.	12 January
Johnson, Peter	500	Craven County	do.
Jolley, Joseph	600	do.	16 September
Jones, Rebecca	66	Berkley County	10 April
Jordan, John	200	Little Pedee River	do.

<i>Grantee</i>	<i>No. of Acres</i>	<i>Place</i>	<i>Date</i>
Jindra, Abraham	58	Granville County	16 September
Keating, Edward	490	Craven County	10 April
Khell, Loudwick	100	Granville County	16 September
Kinlock, James	470	Craven County	3 February
do.	850	do.	do.
do.	1430	do.	do.
do.	300	do.	do.
do.	450	do.	do.
do.	500	do.	do.
do.	200	do.	10 April
Kreeps, John	150	Granville County	16 September
Kueffor, Theobard	50	do.	do.
Ladson, Francis	120	Berkley County	12 January
Laffite, Peter	450	Granville County	16 September
Lane, John	200	Craven County	1 June
Lardant, James	100	Colleton County	3 June
Larney, Lucy	lot 262	Purrysburgh township	16 September
Le Beauf, Jerome	500	Berkley County	1 June
Lejan, Francis	33	do.	do.
Leslie, Charles	800	do.	13 July
Lier, John Rodolph	50	Granville County	16 September
Linden, John	450	do.	16 December
do.	150	do.	do.
Linning, John	1200	Craven County	3 February
Lynch, Col. Thomas	1264	do.	12 January
McClelan, David	400	do.	do.
McCleland, James	320	Santee River	10 April
do.	230	Craven County	do.
McEuan, Robert	112	Colleton County	do.
McKay, James	438	Craven County	12 January
do.	262	do.	do.
McLane, Alan	650	Granville County	do.
Madoch, Thomas	400	Craven County	3 February
Mallace, David	350	Berkley County	12 January
Manigault, Gabriel	1000	Pedee River	do.
Marchis, James	250	Granville County	16 September
Masson, Mary	50	do.	do.
do.	50	do.	do.
Masson, Peter	50	do.	do.
Mathews, Anthony	2150	Savannah River	10 April
Mathews, James	1000	do.	3 February
Mathews, John	100	Berkley County	16 September
Mathey, Abraham	200	Granville County	do.
May, Peter	500	Berkley County	12 January
Mayerhoffern, Henry	lot 242	Purrysburgh township	16 September
Merret, Daniel	50	Granville County	do.
Merret, John Philip	150	do.	do.
Michael, Lewis	50	do.	do.
Miller, James	lot 205	Purrysburgh township	do.



<i>Grantee</i>	<i>No. of Acres</i>	<i>Place</i>	<i>Date</i>
Miller, John Jacob	100	Granville County	16 September
Miller, John Wildrick	—	Berkley County	do.
Mitchell, Moses	600	do.	12 January
Mog, John	150	Granville County	16 September
Montague, Samuel	lot 154	Purrysburgh township	3 February
do.	1100	Granville County	1 June
Moore, Mathew	150	do.	16 September
Moritte, Rev. Thomas	350	Craven County	19 July
Morr, John James	200	Granville County	16 September
Motte, Isaac	200	Savannah River	12 January
Myer, Gasper	200	Granville County	16 September
Myre, George	250	Craven County	do.
Nash, William	400	Colleton County	10 April
Neal, Archibald	650	Savannah River	12 January
Nichols, David	50	Granville County	16 September
Pallom, Anthony	200	do.	do.
Peire, Mathew L.	50	do.	do.
Pendrink, Herman Christopher	100	Berkley County	do.
Perriman, William	314	Edistoe River	12 January
Perrottet, John Peter	100	Granville County	16 September
Perry, Edward	284	Colleton County	10 April
Perry, Richard	1084	do.	1 June
Pinkney, William	107	do.	3 February
do.	181	do.	do.
Pinnell, Abel	50	Granville County	16 September
Plier, John Radolph	50	do.	do.
Porcher, Peter	600	Berkley County	10 April
do.	538	do.	do.
Postell, John	500	Granville County	do.
do.	820	Colleton County	3 February
do.	490	do.	do.
Procter, Stephen	800	Craven County	3 March
Purkett, Timothy	300	Santee River, south side	16 September
Purry, Rodolph	300	Granville County	10 April
Raley, Bryan	170	Colleton County	do.
Randolph, John	300	Granville County	16 September
Read, John, jnr.	500	Colleton County	3 February
Recth, Jacob	50	Granville County	16 September
Reynolds, James	200	do.	10 April
do.	295	do.	do.
do.	200	do.	do.
do.	295	do.	do.
Richard, Charles Jacob	200	do.	16 September
Riguer, Nicholas	200	do.	do.
Robertson, Joseph	250	Berkley County	10 April
Rose, Hugh	150	Granville County	do.
Sauce, David	50	do.	16 September
Saunders, Lawrence	400	Berkley County	3 February
Saunders, William	400	do.	12 January

<i>Grantee</i>	<i>No. of Acres</i>	<i>Place</i>	<i>Date</i>
Scheffley, John Lewis	450	Granville County	3 February
Serre, Noah	147	Craven County	12 January
Shaw, Daniel	482	do.	do.
Shefferte, Henry	100	Granville County	16 September
Sikes, John	1000	Craven County	do.
Sinclair, John	200	do.	19 July
Singleton, James	579	Berkley County	10 April
Skinner, John	200	Craven County	do.
Smallwood, James	600	do.	16 September
Smith, George	137	Berkley County	12 February
Smith, Josheph	84	do.	12 January
Smith, Thomas	40	Craven County	3 February
do.	19	Berkley County	10 April
do.	550	Granville County	17 November
Smith, William	500	Berkley County	12 January
Snellgrove, Freeman	200	do.	16 September
Spencer, Josheph	66	Craven County	2 February
Sterehey, Peter	lot 190	Purrysburgh township	16 September
Stewart, Robert	150	George Town River	1 June
do.	150	do.	do.
Stramplor, John	300	Granville County	16 September
Sumerhoof, John Peter	82	Craven County	10 April
do.	568	do.	do.
Sutherland, James	500	Granville County	12 January
Tallbach, George	200	do.	16 September
Tanner, Jacob	300	Granville County	do.
Thompson, William	600	Black River, north branch	12 January
Tripp, John	360	Granville County	10 April
Vallaton, Jeremiah Oliver	lot 251	Purrysburgh township	16 September
Valours, Jacques	200	Granville County	do.
Vanalle, Mathew	150	Craven County	do.
Vanderhyde, Peter Game	500	Purrysburgh township	10 April
Vanderdusson, Alexander	189	Granville County	18 January
Vaugham, John	600	Craven County	12 January
Verdier, Andre	500	Granville County	16 September
Vernays, Francis	50	do.	do.
Vignew, Stephen	100	do.	do.
Villars (Viller), Ann Maria	100	do.	do.
do.	300	do.	do.
Viller, Ann Eunets	300	do.	do.
Walker, Joseph	lot 245	Purrysburgh township	do.
Wedderburn, James	500	Savannah River	12 April
Weffe, John	50	Granville County	16 September
Whitaker, Benjamin	2000	Craven County	12 January
Wickham, Nathaniel	1400	do.	do.
do.	255	Berkley County	10 April
Williams, Daniel	388	Craven County	12 January
do.	112	do.	do.
Williams, Henry	400	do.	16 September



<i>Grantee</i>	<i>No. of Acres</i>	<i>Place</i>	<i>Date</i>
Williamson, William	450	Craven County	12 January
Winkler, Andrew	50	Granville County	16 September
do.	50	do.	do.
Winningham, Isaac	250	Santee River	do.
Winningham, Thomas	300	Santee River, north east	do.
Wragg, Samuel	500	Craven Country	19 July
do.	1000	do.	do.
do.	1000	do.	do.
do.	1000	do.	do.
do.	1000	do.	do.
Wright, Thomas	500	Black River	12 January
Wunderlick, John	200	Granville County	16 September
Young(e), Robert	200	Craven County	do.
do.	200	do.	do.

## Appendix II

### THE TRUSTEES OF GEORGIA

To avoid repetition, the names of persons attending meetings of the Common Council of Georgia and meetings of the Trustees of Georgia have been omitted from the text of the Calendar. A consolidated list of attendances is given below. The references are to the numbers of the entries in the present volume under which the minutes of meetings are calendared. A number in bold type denotes that the Common Councillor or Trustee presided over that meeting.

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Colony and Port	Period	British North America		British W. Indies incl. Bermuda		British Isles incl. Ireland		Europe		Others		Total
		Ships	Tonnage	Ships	Tonnage	Ships	Tonnage	Ships	Tonnage	Ships	Tonnage	
BERMUDA (St. George's) [C.O. 41, 7]	3rd quarter	IN <sup>1</sup>	[55]	[2]	[55]	[3]	[205]	—	—	—	—	[410]
	"	OUT <sup>1</sup>	[230]	[7]	[241]	—	—	—	—	—	—	[471]
	4th quarter	IN	10	9	201	—	—	—	—	5	135	576
	"	OUT	25	19	367	—	—	—	—	—	—	1062
	No record for first two quarters											
NEW JERSEY (Bridlington) [C.O. 5, 1035]	1st quarter	IN	1	—	—	—	—	—	—	—	—	40
	"	OUT	2	—	—	—	—	—	—	—	—	140
	2nd quarter	IN	—	1	50	—	—	—	—	—	—	50
	"	OUT	—	1	50	—	—	—	—	—	—	50
	3rd quarter	IN	1	—	—	—	—	—	—	—	—	45
NEW YORK (Port of New York) [C.O. 5, 1225-1226]	"	OUT	—	—	—	—	—	—	—	—	—	—
	4th quarter	IN	—	1	50	—	—	—	—	—	—	50
	"	OUT	—	2	45	—	—	—	—	—	—	45
	1st quarter	IN	16	325	4	120	3	300	—	4	145	890
	"	OUT	20	412	13	490	1	55	—	6	205	1237
SOUTH CAROLINA (Charleston) [C.O. 5, 510]	2nd quarter	IN	27	691	27	964	6	620	—	17 <sup>2</sup>	656 <sup>2</sup>	2661
	"	OUT	32	957	23	657	4	395	3	6	195	2384
	3rd quarter	IN	29	847	25	755	3	150	2	14	533	2405
	"	OUT	30	859	24	812	2	180	4	12	420	2626
	4th quarter	IN	21	393	21	685	9	835	1	14	558	2501
SOUTH CAROLINA (Charleston) [C.O. 5, 510]	"	OUT	17	539	24	918	15	1175	1	10	311	3008
	1st quarter	IN	20	1244	12	815	10	1297	5	5 <sup>3</sup>	290 <sup>3</sup>	4101
	"	OUT	17	515	9	348	32	3341	2	1	60	4469
	2nd quarter	IN	22	896	11	315	4	410	2	14 <sup>4</sup>	905 <sup>4</sup>	2676
	"	OUT	26	875	16	788	22	2411	3	—	—	4319
SOUTH CAROLINA (Charleston) [C.O. 5, 510]	3rd quarter	IN	14	384	14	404	2	190	—	8	550	1528
	"	OUT	17	582	14	399	8	710	—	—	—	1691
	4th quarter	IN	15	1327	19	676	8	800 <sup>5</sup>	1	6	494	3437
	"	OUT	10	422	15	464	3	305	2	—	—	1321

<sup>1</sup>Incomplete record<sup>2</sup>Includes one ship of 40 tons, origin of which is not stated<sup>3</sup>Includes 3 ships totalling 120 tons, origin of which is not stated<sup>4</sup>Includes 1 ship of 40 tons, origin of which is not stated<sup>5</sup>Tonnage of one ship not stated





Colony and Port	Period	British North America		British W. Indies incl. Bermuda		British Isles incl. Ireland		Europe		Others		Total	
		Ships	Tonnage	Ships	Tonnage	Ships	Tonnage	Ships	Tonnage	Ships	Tonnage		
VIRGINIA <i>cont.</i> (York River) [C.O. 5, 1444]	1st quarter	IN	1	150	1	15	8	1390	—	—	—	10	1555
	"	OUT	1	20	4	150	—	—	—	1	45	6	215
	2nd quarter	IN	3	360	3	95	8	845	—	—	—	14	1300
	"	OUT	1	40	1	35	11	1495	—	—	—	13	1570
	3rd quarter	IN	2	260	1	35	—	—	—	3	245	6	540
	"	OUT	4	180	1	20	14	1890	—	—	—	19	2090
	4th quarter	IN	2	65	—	—	1	65	—	1	80	4	210
	"	OUT	—	—	—	—	1	250	—	2	80	3	330





## NOTE ON THE INDEX

### *Abbreviations*

Generally recognized abbreviations (R.N., etc.) are used in this index. In addition, the following abbreviations are used:

- comdr.: commander
- commr.: commissioner
- Cllr.: Councillor
- Conn.: Connecticut
- g: grantee of land in South Carolina
- Ga.: Georgia
- Georgia Soc.: Georgia Society
- L.I.: Leeward Islands
- m.: one of the signatories of the petition of 2 February 1738 (No. 47) for disallowance of an Act passed in Jamaica imposing duties on negroes imported to or exported from the Colony. The signatories are collectively described as 'merchants and traders . . . trading from this kingdom to Jamaica'
- Md.: Maryland
- Mass.: Massachusetts
- N.C.: North Carolina
- N.F.L.: Newfoundland
- N.H.: New Hampshire
- N.J.: New Jersey
- N. Scotia: Nova Scotia
- N.Y.: New York (colony)
- Penn.: Pennsylvania
- R.I.: Rhode Island
- S.C.: South Carolina
- Va.: Virginia
- W.I.: West Indies

### *Subjects*

The following are the principal subject-headings in the index:

AGRICULTURE	LAND GRANTS
CURRENCY	MILITARY MATTERS
FISHERIES	NAVAL MATTERS
FORTS AND GARRISONS	SHIPS
IMMIGRATION	SLAVES
INDIANS	TRADE
INDUSTRY	

In most cases these headings direct the user to the colonies etc. where references will be found.



For each colony the following subject sub-headings have been used:

ACTS	INDUSTRY
AGRICULTURE	JUDICIAL MATTERS
ASSEMBLY	LAND GRANTS
COUNCIL	MILITARY AND NAVAL MATTERS
FINANCIAL MATTERS	OFFICERS
FOREIGN RELATIONS	SLAVES
IMMIGRATION	TRADE
INDIANS	

In practice, not every colony supplies material under each of these sub-headings. But the abstracts referring to each colony have been searched for such material; so that the absence under Barbados, for example, of a sub-heading Land Grants denotes that, in the opinion of the editor, the volume contains no material bearing on this subject.

Matter concerning foreign countries has been indexed principally under the headings:

FRANCE and the FRENCH  
SPAIN and the SPANIARDS etc.

with cross-references to persons and places.

#### *Colonies and the British Government*

The institutions and officials chiefly concerned with the administration of the colonies appear in the index in the following forms:

COUNCIL OF TRADE AND PLANTATIONS  
FANE, FRANCIS, legal adviser to Council of Trade and Plantations  
HILL, THOMAS, secretary of Council of Trade and Plantations  
PELHAM HOLLES, THOMAS, Duke of Newcastle, Secretary of State  
POPPEL, ALURED, former secretary of Council of Trade and Plantations  
PRIVY COUNCIL  
PRIVY COUNCIL, COMMITTEE OF, for Plantation Affairs

Relevant matter under each of these heads has been arranged *by colonies*. Thus all papers coming to or going from the Council of Trade and Plantations relating, for example, to Massachusetts are indexed under:

COUNCIL OF TRADE AND PLANTATIONS,  
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